

Washington, Friday, March 17, 1944

Regulations

TITLE 7-AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 54, Amdt. 1]

PART 1401-DAIRY PRODUCTS

DRIED SKIM MILK

Food Distribution Order No. 54. § 1401.25 (8 F.R. 7210), issued by the War Food Administrator on May 29, 1943, is amended as follows:

- 1. By deleting the provisions of (a) (2) and inserting in lieu thereof, the following:
- (2) The term "dried skim milk" means all products containing 1½ percent or less, by weight, of butterfat, which are made by drying cows' milk, from which all or part of the milk fat has been separated and to which no other substance or ingredient has been added, and which are sold for human consumption or used in the manufacture of any other product which is sold for human consumption.
- 2. By deleting the provisions of (a) (11) and inserting in lieu thereof, the following:

(11) The term "designated agencies" means any of the following agencies: (i) the Armed Services of the United States (excluding, for the purpose of this order, the United States Army post exchanges, United States Navy Ships' Service Departments, and United States Marine Corps post exchanges); (ii) the Office of Distribution, War Food Administration, (including, but not restricted to, the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans Administration; and (v) any other instrumentality or agency designated by the Director.

3. By adding to (a) the following:

(13) The term "Armed Services of the United States" means the Army, the Navy, the Marine Corps, or Coast Guard of the United States.

4. By deleting the words "Food Distribution Administration" wherever said words appear in said order and inserting, in lieu thereof, the words "Office of Distribution."

This amendment shall become effective at 12:01 a. m., e. w. t., March 1, 1944. With respect to violations of Food Distribution Order No. 54, rights accrued, or liabilities incurred prior to the effective time of the provisions hereof, said Food Distribution Order No. 54 shall be deemed to be in full force and effect for the purposes of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of March 1944.

Ashley Sellers,
Assistant War Food Administrator.

[F. R. Doc. 44-3549; Filed, March 13; 1944; 12:20 p. m.]

TITLE 8-ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[G. O. 27]

PART 503-GENERAL ORDERS

INVESTIGATION OF PROPERTY OWNED BY PER-SONS TO BE REPATRIATED

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, in order to provide for the investigation of property owned by persons who are to be repatriated to an enemy country, preparatory to taking such other authorized action with respect to such property, including its vesting or protective supervision, as is necessary in the national interest, hereby issues the following regulation:

§ 503.27 General Order No. 27. (a) Any person proposed for repatriation to an enemy country shall, upon demand by

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(RO 5C, Am. 2 to Supp. 1) ___

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index. Book 2: Titles 4-9, with index.

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a duly authorized representative of the Alien Property Custodian, prepare (or assist the representative of the Alien Property Custodian in preparing), sign and certify a report on Form APC-48 (which is hereby adopted and made a part of this regulation) of all property of any nature whatsoever within the United States, its territories and possessions, which is owned or controlled by, payable or deliverable to, held on behalf or for the account of such person or in which such person has any interest of any nature whatsoever,

(b) Such duly authorized representatives of the Alien Property Custodian are hereby authorized to accept any books of account, records, contracts, letters, documents, memoranda, or other papers held in the custody of any person proposed for repatriation, which are useful in establishing the ownership or control of any such property.

(c) For the purposes of this order:
(1) "Person proposed for repatriation" shall mean any person who has been designated by the Department of State of the United States as one who may be repatriated to a designated

enemy country;
(2) "Designated enemy country" shall mean any foreign country against which the United States has declared the existence of a state of war (Germany, Italy, Japan, Bulgaria, Hungary, and Ru-mania) and any other country with which the United States is at war in the

future.
(3) "A duly authorized representative of the Alien Property Custodian" shall include any person who possesses an identification card (bearing his signature and photograph) certifying that he is employed as an investigator, attorney, examiner, business analyst, or in any other responsible position in the Office of Alien Property Custodian.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1942); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on August 23, 1943.

[SEAL] LEO T. CROWLEY. Alien Property Custodian.

[F. R. Doc. 44-3678; Filed, March 16, 1944; 11:26 a. m.]

TITLE 20-EMPLOYEES' BENEFITS

Chapter III-Social Security Board. Federal Security Agency

[Regs. 3,1 Amdt.]

PART 403-FEDERAL QLD-AGE AND SURVIV-ORS INSURANCE

PROCEDURE BEFORE APPEALS COUNCIL

Sections 403.709 (g) and 403.710 (a) and (c) of Regulations No. 3, as amended (Part 403, Title 20, Code of Federal Regulations 1940 Supp.), are amended as follows:

15 F.R. 1849. For a chronological description of the statutory basis for the old-ago and survivors insurance system under title II of the Social Security Act, as amended, and the regulations which have been issued thereunder, see § 403.1 of Regulations No. 3 of the Social Security Board. (20 OFR 403.1, Cum. Supp.)

- 1. The last undesignated paragraph of paragraph (g) of § 403.709 is amended to read:
- (g) Conduct of hearing and evidence. * *

A complete stenographic record of the proceedings at the hearing shall be made. When directed by the Appeals Council or the referee, the record shall be transcribed where the case is certified to or reviewed by the Appeals Council (see paragraph (k) of this section and § 403.-710 (a) and (b)).

- 2. Paragraph (a) of § 403.710 is amended to read:
- (a) Procedure before Appeals Council on certification by the referee. The Appeals Council of the Social Security Board shall, when a case has been certified to it by a referee without decision (see § 403.709 (k)), mail notice of such action to the parties at their last known addresses. A copy of the transcript of evidence adduced at the hearing or a condensed statement thereof or, where the hearing before the referee has been waived (see § 403.709 (i)), copies or a statement of the contents of the documents which are evidence in the case, shall be made available to any party upon request.

When a case has been certified to the Appeals Council for decision, the parties shall be given, upon their request, a reasonable opportunity to appear before the Appeals Council for the purpose of presenting oral argument. The parties shall also be given, upon their request, a reasonable opportunity to file briefs or other written statements of contentions. Where there is more than one party, copies of such a brief or written statement shall be filed in a sufficient number that they may be made available to any party requesting a copy or any other party designated by the Appeals Council.

Evidence in addition to the evidence introduced at the hearing before the referee, or the documents before the referee where the hearing is waived, may not be presented except where it appears to the Appeals Council that additional material evidence is available which may affect its decision. If it appears that such additional evidence is available, the Appeals Council shall receive such evidence or designate a referee or member of the Council before whom the evidence shall be introduced. Before additional evidence may be presented, as above provided, notice shall be mailed to the parties, unless such notice is waived, at their last known addresses, that evidence will be received with respect to certain matters, and the parties shall be given a reasonable opportunity to present evidence which is relevant and material to such matters. When the additional evidence is introduced before a referee or a member of the Appeals Council, a transcript or a condensed statement of such evidence shall be made available to any party upon request.

The decision of the Appeals Council, when a case has been certified to it by a referee, shall be made in accordance with the provisions of paragraph (d) of this section.

- 3. Paragraph (c) of § 403.710 is amended to read:
- (c) Procedure before Appeals Council on review of referce's decision or Bureau's revised determination. Whenever the Appeals Council determines to review a referee's decision or the revised determination of the Bureau, the Council shall make available to any party upon request a copy of the transcript of evidence adduced at the hearing or a condensed statement thereof or, where the hearing before the referee was waived (see § 403.709 (i)), copies or a statement of the contents of the documents upon which the referee's decision was based. The parties shall be given, upon their request, a reasonable opportunity to file briefs or other written statements of contentions. Copies of such brief or other written statement, where there is more than one party, shall be filed in a sufficient number that they may be made available to any party requesting a copy and to any other party designated by the Appeals Council.

Evidence in addition to the evidence introduced at the hearing before the referee, or the documents before the referee where the hearing is waived, may not be presented except where it appears to the Appeals Council that additional material evidence is available which may affect its decision. If it appears that such additional evidence is available, the Appeals Council shall receive such evidence or designate a referee or member of the Council before whom the evidence shall be introduced. Before additional evidence may be presented, as above provided, notice shall be mailed to the parties, unless such notice is waived, at their last known addresses, that evidence will be received with respect to certain matters, and the parties shall be given a reasonable opportunity to present evidence which is relevant and material to such matters. When the additional evidence is introduced before a referee or a member of the Appeals Council, a transcript or a condensed statement of such evidence shall be made available to any party upon request.

(Sec. 205 (a), 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U.S. C. sec. 405 (a), 1302)

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 10th day of March 1944.

[SEAL] SOCIAL SECURITY BOARD, A. J. ALTMEYER, Chairman.

Approved: March 14, 1944. WATSON B. MILLER, Acting Federal Security Administrator.

[F. R. Doc. 44-3660; Filed, March 16, 1944; 10:57 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV-Home Owners' Loan Corporation

[Bulletin 265]

PART 403-PROPERTY MANAGEMENT DIVISION

PURCHASES BY OFFICERS OR EMPLOYEES

Section 403.10 Plans and terms of sale is amended as follows:

The paragraph of § 403.10 identified

as paragraph (c) shall be revoked. Section 403.02 (i) is amended to read as follows:

§ 403.02 Property Committee. * * *

(i) To review all cases:(1) Where the regional manager recommends the approval of the purchase by any officer or employee of the Corporation from a home owner of property on which the Corporation holds a mortgage or other security instrument;

(2) Where the regional manager recommends the sale of a property owned by the Corporation, directly or indirectly,

(i) Any officer or employee of the Corporation or to any individual approved by the Corporation to perform services on a fee basis, or to the spouse or close relative of any such person, o

(ii) Any contract sales broker, contract management broker, or approved sales broker, or to the partner, officer or

employee of any such broker,

(iii) The spouse or close relative of any such broker operating as an individual or of the partner of any such broker, and to submit all such cases with its recommendations to the General Manager or Deputy General Manager in Charge for final action. Where any purchaser from the Corporation referred to in this section is also a former borrower as defined in § 403.10 the sales price requirements of said § 403.10 shall apply.

Effective March 14, 1944.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647: 12 U.S. C. 1463 (a), (k), E. O. 9070, 7 F. R. 1529)

[SEAL]

J. FRANCIS MOORE, Secretary.

[F. R. Doc. 44-3626; Filed, March 15, 1944; 3:25 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII-Foreign Economic Administration

Subchapter B-Export Control [Amendment 157]

PART 802-GENERAL LICENSES

GENERAL LICENSE FOR LIEXICAN EORDER ZONE

Correction in Amendment No. 155.

The numbering of the section set forth in Amendment No. 155, published March 14, 1944, 9 F.R. 2775, is hereby changed from § 802.26 to § 802.27.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13061; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: March 15, 1944.

S. H. LEBENSBURGER, Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-3649; Filed, March 16, 1944; 9:23 a. m.]

Chapter IX-War Production Board

Subchapter B-Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1176-IRON AND STEEL CONSERVATION [Conservation Order M-126, Amdt. 4]

FENCES

Section 1176.1 Conservation Order M-126 is hereby amended by changing the item in List A which now reads:

Fences of all kinds, including chain link, except as may be permitted under Limitation Order L-211, Schedule III.

to read as follows:

Fences of all kinds, except:

(1) Plain, barbed, or twisted wire; woven or welded wire fence (except lawn and other ornamental fence); wire netting; wire flooring.

(2) Chain link fence, weighing not more than two pounds per lineal foot and. not more than 0.33 pounds per square foot, for industrial plant protection only.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-3664; Filed, March 16, 1944; 11:16 a. m.]

PART 1226-GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-112 as Amended Mar. 16, 1944]

INDUSTRIAL POWER TRUCKS

The fulfillment of the requirements of the defense of the United States has created a shortage in the supply of certain critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

- § 1226.117 General Limitation Order L-112—(a) Definitions. For the purpose of this order:
- (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of per-
- sons, whether incorporated or not.
 (2) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or

towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, airports or depots. term shall not include automotive tractors, trucks, or wheeltype industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging, industrial yard work, or petroleum development.

(3) "Manufacturer" means any person who manufactures, fabricates or assembles new industrial power trucks, and includes any sales and distribution

outlets of a manufacturer.

(4) "Parts producer" means any person, other than a manufacturer, who manufactures parts to be incorporated in industrial power trucks.

(5) "Standard model" as applied to a manufacturer, means one model only of each type and capacity of industrial power truck listed in List A attached hereto, described in such manufacturer's catalogue or bulletin on July 10, 1942.

(6) "Approved standard model" means a standard model listed hereafter and from time to time by supplementary order or orders, as provided in para-

graph (d) (2). (7) "New", when applied to any industrial power truck, means any truck which has never been sold to a person acquiring the same for use. "Used" means any such truck which has been sold to a person acquiring the same for use, whether or not such truck has subsequently been reconditioned or rebuilt.

(8) "Dealer" means any person, other than a manufacturer, engaged in the business of selling or distributing new or used industrial power trucks, whether at

wholesale, retail, or otherwise.

(9) "Owner" means any person (including a manufacturer or dealer) who owns any industrial power truck, regardless of whether such truck was acquired for resale or for use by such person.

(b) Restrictions on orders and deliveries—(1) New trucks. (i) No manufacturer shall accept any order for a new industrial power truck unless such order is accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below. Orders so authorized shall be placed only with the supplier specified by the War Production Board.

(ii) No manufacturer shall hereafter deliver any new industrial power truck, except in fulfillment of an order (a) accepted before October 15, 1942, and rated A-9 or better on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A or on a form in the WPB-837 (formerly PD-408), or (b) accepted on or after October 15, 1942, and accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below.

(2) Used trucks. (i) On and after July 20, 1943 no manufacturer, dealer or owner shall accept any order for a used industrial power truck unless such order is accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below. Orders so authorized shall be placed only with the supplier specified by the War Production Board.

(ii) On and after July 20, 1943, no manufacturer, dealer or owner shall deliver any used industrial power truck, except in fulfillment of an order accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below.

(iii) Any manufacturer, dealer or owner specified as a supplier in the authorization for a used truck shall accept any order placed with him for such truck (if the order is accompanied by the authorization), as if such order bore a preference rating, unless he is permitted to, and does, reject the same under the provisions of Priorities Regulation No. 1, § 944.2. However, nothing herein shall require the sale of any used industrial power truck by any person who acquired and holds such truck for his own use

and not for resale.

(iv) The restrictions contained in (i), (ii), and (iii) of this paragraph (b) (2) shall not apply to deliveries of used industrial power trucks made by one branch, division, or section of a single enterprise to another branch, division, or section of the same enterprise under common ownership where no transfer of title or ownership of such trucks is involved, or to deliveries of any used industrial power trucks owned by the Army, Navy, Maritime Commission or War Shipping Administration, from one department to another within any such agency, or from any of such agencies to any other of such agencies.

(3) Authorizations. Application for authorization of the War Production Board required by paragraph (b) (1) and (2) shall be made by the purchaser on Form WPB-1319 prepared in accordance with the instructions for such form. The War Production Board may grant such application unconditionally or upon specified conditions, including the requirement that the order be placed with a supplier named by the War Production Board, or that the order shall only cover such model, type or size of truck as may be designated by such Board.

(c) [Deleted Mar. 16, 1944]

(d) Standardization of models. (1) No manufacturer shall after July 10, 1942 begin the manufacture of any industrial power truck which is not a standard model. The design and structure of any standard model shall be only as specified or described in such manufacturer's catalogue or bulletin; except that electric fork trucks with capacities from 2,000 pounds to 6,000 pounds may be built in both center and end control types; and that alterations may be made in counter weights, die pullers (power winch), height of lift, voltage, battery capacity, explosion or fire prevention features, and the length or width or type of fork or ram.

(2) On and after August 15, 1942, no manufacturer shall begin the manufacture of any standard model which is not an approved standard model. Approved standard models for each manufacturer shall be only those industrial power trucks listed hereafter and from time to time by order or orders supplementary to this order. The provisions of paragraph (d) (1) hereof relative to changes in design and structure shall be applicable to approved standard models.

(3) On or before the 15th day of October and of each succeeding calendar month, every manufacturer shall file with the War Production Board a report on Form WPB-1262 (formerly PD-385), which shall include (i) such manufacturer's proposed production schedules so -far as then planned, but in any event, for not less than the three calendar months following the filing of the report; and (ii) his proposed delivery schedules so far as then planned, but in any event for not less than the one calendar month following such filing. The production schedules for the three calendar months, and the delivery schedules for the one calendar month following the filing of the report shall be deemed to be approved by the War Production Board upon the receipt of the report by the War Production Board, unless the War Production Board shall otherwise direct. The War Production Board may, at any time, change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer, or theretofore approved by the War Production Board; allocate any order listed on the report to any other manufacturer; or direct the delivery of any industrial power truck so listed to any other person, at the established price and terms. No manufacturer shall produce or deliver any industrial power truck except in accordance with schedules approved or prescribed by the War Production Board, as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the War Production Board.

(e) [Deleted Mar. 16, 1944]

(f) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and as amended from time to time.

(2) Existing contracts. Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after July 10, 1942. No person shall be held liable for damages or penalties for default, under any contract or order, which shall result directly or indirectly from his compliance with the terms of this order.

(3) [Revoked July 10, 1943.]

(4) [Revoked July 10, 1943.]

(5) Violations. Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be pro-

hibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(6) Appeals. Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter must be filed with the field office of the War Production Board for the district in which is located the plan or branch of the appellant to which the appeal relates.

(7) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C.; Ref.: L-112.

Issued this 16th day of March 1944. WAR PRODUCTION BOARD, By J. JOSEPH WHELAM, Recording Secretary.

No lift, high platform. 1,000 lbs. to 20,000 lbs. No lift, low platform_ 1,000 lbs. to 20,000 lbs. Low lift, high platform 2,000 lbs. to 20,000 lbs. Low lift, low platform_ 2,000 lbs. to 20,000 lbs. High lift, low platform 2,000 lbs. to 10,000 lbs. 2,000 lbs. to 00,000 lbs. Fork or ram____ Crane____ 2,000 lbs. to 20,000 lbs. Tractor_______ 1,500 lbs. to 6,000 lbs. Motorized low lift____ 2,000 lbs. to 6,000 lbs. Straddle trucks_____10,000 lbs. to 30,000 lbs

Max. D.B.P.

[F. R. Doc. 44-3663; Filed, March 16, 1944; 11:16 a. m.]

PART 1293-BUILDING MATERIALS

[Limitation Order L-157, Schedule III, as Amended Mar. 16, 1944]

MANUALLY-OPERATED WOOD AND SPECIAL PURPOSE SAWS

§ 1293.4 Schedule III to Limitation Order L-157—(a) Definitions. For the purposes of this schedule:

(1) "Producer" means any person who manufactures, stamps or otherwise fabricates manually-operated wood and special purpose saws.

(2) "Manually-operated wood and special purpose saws" means the following

(i) Handsaws, crosscut and rip.

(ii) Mitre, cabinet, and back saws.

(iii) Compass and keyhole saws and nests of saws.

(iv) Special purpose handsaws of the kinds listed in Table 4.

(v) Pruning saws.

(vi) Butcher saws.

(vii) Buck, cordwood and pulpwood

(viii) Crosscut saws, two-man.

(ix) Crosscut saws, one-man.

(x) Ice saws.

(3) "Lend Lease government" means the government of any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States," (Lend-Lease Act).

(b) Simplified practices. Pursuant to Limitation Order L-157, the production and distribution of manually operated wood and special purpose saws shall be limited to the types, grades, sizes and number of models set forth in Appendix A of this schedule, except that in any calendar year a producer may manufacture saws, which saws shall not be subject to the limitations of types, grades, sizes and number of models of this schedule and Appendix A thereto for export and shipment to Canada, or for export under a license issued by the Foreign Economic Administration or to fill an order of a Lend Lease government, in a combined dollar sales volume not to exceed the amount of his total dollar sales export production of manually operated wood and special purpose saws for the calendar year 1941, or in a combined dollar sales volume not to exceed 6% of his total production of manually operated wood and special purpose saws during the calendar year 1941, whichever dollar sales value is the greater.

The provisions of this schedule shall not restrict in any way the manufacture of saws to fill orders for export received by a producer on or before the 31st day

of December 1942.

(c) No producer shall produce during any calendar year any saws listed in:

(i) Table 2 of Appendix A of this schedule in excess of 20% of the dollar sales volume of the total annual production by him of all saws so listed in said Table 2 during the twelve months period ending December 31, 1941;

(ii) Table 3 of Appendix A of this schedule in excess of 20% of the dollar sales volume of the total annual production by him of all saws so listed in said Table 3 during the twelve months period

ending December 31, 1941;
(iii) Table 4 of Appendix A of this schedule in excess of 20% of the dollar sales volume of the total annual production by him of all saws so listed in said Table 4 during the twelve months period ending December 31, 1941; or

(iv) Table 5 of Appendix A of this schedule in excess of 20% of the dollar sales volume of the total annual production by him of all saws so listed in said Table 5 during the twelve months period

ending December 31, 1941.

The percentage limitations on the total annual production as established in subparagraph (c) of this schedul shall not include saws produced for delivery for the account of the Army, Navy, Maritime Commission or War Shipping Administration of the United States.

(d) Effective date of simplified practices. On and after October 19, 1942, no producer shall put in process any steel for the purpose of manufacturing a manually-operated wood or special purpose saw other than a manually-operated wood or special purpose saw conforming to the sizes, specifications and standards as established by paragraph (b) and Appendix A of this schedule. On and after December 18, 1942, no producer shall manufacture, assemble or fabricate any manually-operated wood or special purpose saw not conforming to the sizes. specifications and standards established

in paragraph (b) and Appendix A of the schedule, except with the express permission of the War Production Board. All saws fabricated prior to December 18, 1942, may be shipped without special permission.

(e) Records covering material, work in process, etc. Each producer of manually-operated wood and special purpose saws shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

EXPLANATIONS AND LIMITATIONS

- (1) "Model" as used in the following Tables 1, 2, 3, 4, 5, 6, 7, 9, and 10 shall designate one combination of saw details. Such details as are not specified may be selected by the manufacturer, provided that the different combinations of details for a given kind and grade of saw do not exceed the number of models to which such saw is limited.
- (2) "Gages" as referred to in the following Tables are Birmingham or Stubs' wire gages, and are subject to commercial tolerances.
- (3) "Length & Width of Blades" as referred to in the following Tables 1, 2, 3, 4, 5, 6, 7a, 8, 9, and 10 are subject to commercial tolerances, except where minima and maxima are

(4) [Revoked Mar. 16, 1944]

GRADES OF HANDSAWS

Blades shall be of best quality selected saw steel, free from harmful dirt, segregation, and inclusions. The steel shall be either alloy steel or carbon steel, but both kinds may not be used. If carbon steel is selected, the steel shall be cross rolled and show a fine fracture grain; and the carbon content shall be not less than 0.80, or more than 0.95 per cent, phosphorus and sulphur not more than 0.035 per cent, and silicon not less than 0.15 per cent.

The blade shall be tempered to a Rockwell hardness of not less than 48 or more than 52 on the C scale.

The blade shall be true and full taper ground, i. e., uniform in thickness along the entire length of the cutting edge, tapered in thickness from the tooth edge to the back and along the back from the handle to the point. This taper is to be uniform and not less than 4 gages. The thickness of the cutting edge shall be not less than 0.032 in. or more than 0.042 in., and the thickness of the back at the handle not less than the cutting edge.

The teeth of cross cut saws shall be bevel filed, and the teeth of rip saws filed straight through. The teeth shall be set, but the set shall not extend more than one-half the depth of the tooth.

Handles shall be of suitable hardwood, properly seasoned, and free from cracks, checks, and other defects, and shall be given a protective coating to aid in preventing warping, swelling, or shrinkage. Handles

shall be fastened to blades with not more than 5 steel screws.

The blade of each saw shall be permanently

branded to permit its identification.

B-Grade. Blades shall be of standard quality steel free from harmful dirt and inclusions, and shall show a fine fracture grain. The carbon content shall be not less than 0.70, or more than 0.95 percent, phosphorus and sulphur not more than 0.040 percent, and silicon not less than 0.15 percent. The blade shall be tempered to a Rockwell hardness of not less than 46, or more than 48 on the C scale.

The blade shall be taper ground, uniform in thickness along the entire length of the cutting edge, tapered in thickness from the tooth edge to the back and along the back from the handle to the point. This taper is to be uniform and not less than 2 or more than 3 gages. The back at the handle shall not be thinner than the cutting edge.

The teeth of both cross cut and rip saws to be filed and set, but the set shall not extend more than one-half the depth of the tooth.

The handle shall be of seasoned hardwood, free from cracks, checks, or other defects, shall be given a protective coating to aid in preventing warping, swelling, and shrinkage, and shall be fastened to the blade with not more than 4 steel screws.

The blade of each saw shall be permanently branded to permit its identification.

C-Grade. No C-Grade handsaws shall be manufactured on and after the 28th day of December 1942 except to fill orders received by the manufacturers on or before the 21st day of December 1942, but no such C-Grade handsaws shall be manufactured on or after the 5th day of February 1943.

Private brands. The blades of all handsaws manufactured for distribution under private brands shall have the qualities specified above, and shall be permanently branded to permit their identification. The handles of such saws may vary in design from the manufacturers' standard: Provided, That no manufacturer shall make, for any saw distributed under private brands, more than 3 different designs of handles in addition to his standard handles.

TABLE 1-HANDSAWS

		В	ado di Wi		ns	Number of per inc	points h
Grade and kind	Length ¹	Po	int	Bı	ıtt	Cross-cut	Rip
		Min.	Max.	Mîn.	Max.	saws	saws
A Grade: ² Regular style, skew back: One model in each length Narrow or ship-point style, skew or straight back: Three 26-in-models One 24-in-model	In. 20 22 24 26 26 24	In. 15/8 15/3 13/4 2 11/3 11/4	17/8 2 23/8	1	In. 53/8 51/8 61/4 7 61/4 51/2	7, 8, 10, 11 7, 8, 10, 11 7, 8, 10, 11 8, 10	613 614
Narrow or ship-point style, skew or straight back: Two 26-inmodels One 20-inmodel	26 20	11/4	134 11/2	6¼ 5	6)3 6)3	8, 10 10	63/2

¹Plus or minus ½ inch.
²For the purposes of this schedule grades are defined as shown in the section immediately above entitled grades of handsaws. TABLE 2-MITRE, CABINET, ANL BACK SAWS

Blade dimensions Points per inch Kind Thickness Width 1. Length Min. Max Min. Max MITRE BOX SAW In. 4 5 6 I lat-ground blade, hardwood handle attached by not more than . 040 . 040 . 040 3 steel scrows:
One grade, one model______ CABINET SAW Flat-ground blade, one edge toothed for ripping, the other for cross cutting, hardwood handle attached with not more than One grade, one model..... 31/4 31/2 Options BACK SAWS Grade 1.—Heavy back, flat-ground blade, hardwood handle attached with not more than 3 steel screws: Gage 22 21 21 22 22 One model..... Grade 2.—Flat-ground blade, hardwood handle, one model.....

¹Distance from underside of back to cutting edge. ²Plus or minus ⅓ inch.

	izo	₫ -	nucr.	27 28 28 27 28		1 <u>%</u> 1 <u>%</u>		222			* * *	two styles of				Telats Per Inch	-			1:		8 01 0	olso be made.	
	Dlado sizo	Longth	In. In		22 5	21 81 28 13	18	ននន	3 %		ន ន	y bo made in			Diado!	Nominal Width		—	25 25 25 25 25 25 25 25 25 25 25 25 25 2	500	<u> </u>	20 1814	ly in uso may	
]	_ _	per la 4 to	1 points	hardwood	handle: 8	8 points	ing a large	slado taut	nts per in. for adjust to cut on	djustment and wing	fo 1 which m			00	from No rock to rock t				244 299 200	27054	*	w frames alrea s H Inch	
6PRUNING SAWS			le, 7 or 8points	ood handle	uered folding	ood lacquered	dwood handle teeth filed an	od nanaie nav o teeth	nd seed to hold t	er bna nook, cer, blado Spol pole, arranged s points per in	butt to hold poseket with 11601	only exceptly	minus 54 inch il. minus 1 inch	TCITES DAVIS	Framo	6218		Tu.	M or 1 x M	HAN HAN HAN HAN HAN HAN HAN HAN HAN HAN	Ni x II	135 x 5f0 3	eede 1 to Alera o plus or minu	
NAD TADLE GFR) Description	1 Curved, tapered binds with hardwood lacquered hand	2. Chryold Laptered blade with long locationed brade with long locationed laptered laptered later to cut on draw stroke.	s rolling plucies, with euryes, alpeter undo und mer handle, dor CH, points per in 4 to cut on draw stroke rolling puttern, with curved, inpered blade, and lacq	handlo, 8 points per in, to cut on draw stroko Silightly curved and tapered blade with large hardw points per in, on convex edge, foir concave edge, fact.	() Siraight tapered, high tempered blade with large har per in on one edge, lightning type teeth on the other 7 Kanne as No. 6, except blade to be of standard saw ste	8 Standard type, tapered skow back blade with narawa hole for gloved hand. 7 points per in	10 fains as No. 8, due which belonis per int, bever incu a la King skel frame tapered to a narrow point, and arran at 4 different angles, hardwood, handle, 18 points per	12. Saw ma snear combination, with mulcabo from See 134 in a diameter, shear to cut up to 36 in, in diamet 13 Turved, topice I blade, with malecable from socket for ment of anglo of caw blade with bolt and wing mut	draw strolle. 14 Curred, laptered walnut-pransing blade, with feeth in butt to hold edjustment in preceded human can ecolect. Usavy alamped socket with insokand whig nut and bolt. I points per in	1 Each number to be made in one grade and one model (ceth.	1 Tolcrance: 1 list or milius 14 inch	ZADES G—DUTOIESS GADES		Kind		DUTCHER SAWS	Type It and really, and factor armine, what winged in the determined in the contract of the co	Typo 2: Cold rolled, the steel family, with e page or round edges and winged mut or trieger for tightening tho binde, onowinge I mut model and ono trieger model	In each length, one grade only. Eame with unguarifed handle one model one grade ners sentren saw	Plet steel frame ville genare edges, ove type festener at front end an i teerston holy on rear, hardwool handlo secured with not morothan 4 steel secons ono model	i Blades similar to the above, but of different lengths neede I to ilt faw frames alrea ly in uso may also be made. *Longth from center to center of holes or pins; tolerance plus or minus 36 inch A phyroximately. *A phyroximately. *A phyroximately. *Phys or minus 36 inch The control of the control	
-	Points	per inch	8	80	021			e 	2		ටි හන	12 or 15			tlon	Feints per inch		8	2		6		6	
	Blado	Kind	Laper ground	qo	ęę	Flat ground		Laper ground	Flat ground	•	888	op			Blade specification	W idth		•		•	€		6	
BWAS T	,,,	Longth 1	In 12	12	222	12	ç	2	92		828	16 or 18				Length		: 	• =		€		<u> </u>	
AND NESTS OF		İ	Grado 1: Grado 1: Btandard model: Full pollshed blade, teeth filed and set, hardwood lindle with either open or pistol style grip (one only) earting op	sition	Plumber's model: Meavy blade, reversible hardWood handle: For wood cutting, teeth fled and set For meell cutting	do 2		Standard model: Blade tapered to sharp point, teeth fled and set, hard wood handlo with either open or pistol type grip (one only) carving optional			One keybole blade. One compact blade. One printing blade. Naticuting combination (one grade only): Naticuting combination (one grade only):			4—SPECIAL PURPOSE SAVIS ENGCA Mar 10 1044				blade stretcher dans the formula handle (one medel) Grade 2.—Who red frame is alometer for bene-cud blade hardweed			··.			

TABLE 8-TWO-MAN CROSS-CUT SAWS

C) SAWS, AND PULPWOOD SAWS	
AND	٠.
SAWS,	1944.
Ñ	16,
(BUCK)	Mar.
TABLE 7WOOD	od saw" amended Mar. 16, 1944.
TABLE	saw"
	Nore: "Fulpwood
	Note:

l	/					_		Number of	rof
	Kind		-	Frame	i sepeta	Class	Kind Length Maximum		#2ª
1		Sizo	8	Bracing	Rod			-	n 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
5 6	WOOD (BUCK) SAWS Grade 1: Special selected hardwood frame, with lacquered falish, one model.			single or ed, hard-		1006	1 Eastern, narrow 654 478 14 or 15	<u> </u> 	000
5	Orace 2: centrari serecce intravoou induc, wili suggood finish, one model. PULFWOOD SAW		baco.	or double	m zz	9 01 1	55 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5		ম্বৰৰ
E .	Tubular steel frame tempered for strength, with suitable blade fastening and lacquered finish: One non-adjustable model. One adjustable model.		30		7 and 8	18	22 22		400000
" "	18ce table 7A. TABLE 7A—BLADES FOR WOOD (BUCK) SAWS AND FULFWOOD SAWS NOTE: Items 1-4 and 7 amended Mar. 16, 1944.	оор (в иск) . 16, 1944.	SAWS ANT	o PULPWOOD SAWS	-		14 0		1000000
No.	Grado Style	le Length	Width	Teeth			6 Parallel pattern		ग पा चा च
46	Either alloy or high carbon stool (but	II.	13, m.	Tuttle 4½ or set.	s or champion. 5 plain teeth por fn.—filed and		6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6		'सस्सस्य
ເວ4:		ted 30	1%	Tuttle 4% or	s or champion. 6 plain teeth por in,—filed and	- Pr	7 Eastern, wido		404
200		ht	122	Tuttie or champion. 4½ or 5 plain teeth per in.—filed and set.	oer in.—filed a		8 Western bucking	·]]]]	*61616
0 28 4	Either alloy or high carbon steel (but not both), taper grounddododododododo.	888	120/20/2		ı.		The figures in this column designate the maximum different combinations of characteristies is and langth of each may be under by a characteristies in the conditions of characteristies is and langth of each may be under by a characteristies.	in which a gi	' E
2555	00 00 00 00 00	1111		Skip t	೮ ರ	98.	ass. And while of saw may be minde by a subject manuacturer, studies to the quantications given below. The characteristics referred to are (1) grade, (2) type of feeth, (3) amount of toper (including flat ground as zero taper), (4) gage of cutting edge, (6) width, and (6) breast. In other words, any veriation in any one of the above characteristics as between two saws of the same class and the convention of the convention of the characteristics as between two saws of the same class and the characteristics.	nd as zero tap 10 same class	and ,
14	op	\$	1 or 1%	4 cutting and 1 raker		2 2	ngun von de Libert Libert vin de Libert br>Saws of Classes 4, 6, and 7 are permitted to be made in two types of teeth, and saws of class 1, in three types of teeth. To manifestimer elects to make them in only one trun of teeth he shall not make more than transitioners ears in	ee types of te	eth.

If a manufacture elects to make them in only post types of teeth, and saws of class to in three types of teeth, and saws of class to the types of teeth, and saws of class to in three types of teeth, and saws of class to make them in only one type of teeth, no sall not make more than two different saws in saws of the same class and length and type of tooth, but of different grade or gage, may vary slightly in width, provided the total different saws of a given class and length does not exceed the figure given in column to take the total different saws of a given the column to the total same than the column to the total same than the column to the column

Maxímum blade dimensions	Butt	In.	755	\$51
	Point	m.	22%	23%
Number of	Bages eagles	2 403	2823	
Length Gage at cut. Number of	oges cage	16	16 15 or 16 15 or 16	
Léngth		Fit.	21.6	*85.4*55
Grade and kind	•	Grade 1. Tenesod straight, or securious blade with	hardwood handle attached with not more than 3 steel serews, and supplementary handle, one model in each of 2 tooth designs in each length.	Grade 2: Samo as grade 1, but of lower grade steel and flatground blade, one model in each of 2 tooth designs in each length.

TABLE 10-ICE SAWS

Kind	Length	With	Gege
HAND ICE SAW			
Straight-back, flat-ground blade, with bardwood handle, plain teeth, one grade, one model.	In.	31. In.	15
POND ICE SAW			
Straight back, flat-ground blade, with hole in butt for tiller handle, teeth optional, one grade, one model.	} @	{5 at point {7 at butt	11

[F. R. Doc. 44-3666; Filed, March 16, 1944; 11:17 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFI-CATIONS FOR STEEL PRODUCTS

> [Limitation Order L-211, Schedule 3, Revocation]

BARBED WIRE, WIRE FENCE, WIRE NETTING AND WIRE FLOORING

Section 3102.4 Schedule 3 to Limitation Order L-211 is hereby revoked. This revocation does not affect any liabilities incurred under the schedule. The production and delivery of barbed wire, wire fence, wire netting and wire flooring remain subject to all other applicable regulations and orders of the War Production Board.

Note: Specific restrictions on ornamental fence and chain link fence are contained in Conservation Order M-126.

Issued this 16th day of March 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 44-3667; Filed, March 16, 1944; 11:18 a. m.]

Part 3133—Printing and Publishing [General Limitation Order L-188 as Amended Mar. 16, 1944]

LOOSE LEAF METAL PARTS AND UNITS

§ 3133.45 General Limitation Order L-188—(a) Definition. For the purpose of this order:

(1). "Binder" means a blank book, loose leaf book or cover.

(2) "Unit" means a complete device designed to hold together loose leaves, covers, paper products or other materials in a binder.

(3) "Part" means a component used in the construction of a unit.

(4) "To fabricate" means to change the shape or form of metal in any manner.

(5) "To assemble" means to combine parts into completed units. It does not mean to attach completed units to binders.

(b) Allotments. In any calendar quarter, it is the intention of the War Production Board to allot iron or steel to a fabractor of loose leaf metal parts and units in an amount equal to 1834

percent by weight of metal fabricated by him into metal parts and units in the calendar year 1941.

(c) Order M-126. Conservation Order M-126 does not apply to binders.

(d) Restrictions on materials. No metal other than iron, steel, or zinc may be used in fabricating metal parts or units for binders. Zinc may be used only for the purpose of applying a protective coating or plating.

(e) [Deleted Mar. 16, 1914]

(f) Appeals. Any appeal from the provisions of this order shall be made by filing Form WPB-1477 (PD-500), referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(g) Communications. All communications concerning this order shall be addressed to War Production Board, Printing and Publishing Division, Wash-

ington 25, D. C., Ref: L-188.

(h) Violations. Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-3673; Filed, March 16, 1944; 11:18 a. m.]

PART 3208—SCHEDULED PRODUCTS
[General Scheduling Order M-293, Table 13, as Amended Mar. 16, 1944]

CORK, ASBESTOS AND FIEROUS GLASS DIVISION

§ 3208.14 Table for cork, aspestos and fibrous glass division. (a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

-			Applicable fo	rms columns	i .
Type of M-293 product	Designation	1	2	3	4
Type of M-289 product	Designation	Operations report	Shipping schedula	Applica- tion and outboriza- tion	Calender menth frezen
Fibrous glass textiles, including cloth, tope, cord, sleeving, thread, yarn, sliver, M. Q. webbing and other products fabricated wholly from textile type glass fibers.	Undesignated	C024	2:01		Three.

(b) Table 13 as amended March 16, 1944, shall take effect beginning April 1, 1944. The provisions of table 13 as issued September 17, 1943, remain in effect until March 31, 1944.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-3668; Filed, March 16, 1944; 11:16 a. m.]

PART 3291—CONSULIERS DURABLE GOODS [Limitation Order L-64, as Amended March 16, 1944]

CASKETS, SHIPPING CASES AND BURIAL VAULTS

§ 3291,245 General Limitation Order L-64—(a) Definitions. For the purposes of this order:

(1) "Casket" means a container in which it is intended to place a human corpse for interment.

(2) "Burial vault" means a container in which it is intended to place a casket containing a human corpse for interment, and shall include burial boxes.

ment, and shall include burial boxes.

(3) "Shipping case" means a container in which it is intended to place a casket containing a human corpse for shipment and to which handles have been been attached in accordance with railroad shipping regulations.

(4) "Manufacturer" means any person engaged in the production, upholstering, finishing or lining of caskets, shipping cases, burial vaults or parts made specifically for incorporation into those products.

(5) "Metal liner" means a metal container which is inserted into a wooden casket or burial box in order to provide hermetical sealing.

(6) "Metal" means metal or metallic substances in any form except metallic substances contained in powders, sprays, paints and pastes (see Conservation Orders M-1-g and M-9-c-3).

(7) [Deleted Mar. 16, 1944]

(8) "Handle hardware" means hardware attached to the outside of a casket or shipping case for carrying purposes.

(9) "Design" means the construction essentials of a casket which distinguish that casket from another casket. For the purposes of this order, two or more caskets identical in every respect other than species of wood, size, handle hardware, interior linings, upholstery, textile coverings or color of wood finishes shall be considered one design. Two or more caskets identical in every respect but containing different contours of moldings, pilasters or corners shall be considered two or more designs.

(10) "Preferred order" means any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) Restrictions on production of caskets. (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of caskets, or process, fabricate, work on

or assemble any caskets containing any metal, except

(i) Handle hardware for caskets con-

sisting of

(a) Assemblies of bars, ears, arms or tips containing antimony, lead, aluminum or zinc which were completely fabricated and assembled prior to March 28, 1942; and

(b) Handle arms containing antimonial lead and steel fabricated on or after provisions of M-38-c as amended or any appeal granted under that order provided that not more than three pounds of antimonial lead, and 14 ounces of steel shall be used per casket.

(ii) Nameplates manufactured from secondary antimonial lead weighing not

more than 14 ounces; and

- (iii) Any metal parts which have been manufactured under an appeal from this order or any other order granted after June 30, 1942.
- (iv) Not more than 10 pounds of iron and steel per casket of which not more than 7 pounds may be contained in handle hardware.
- (2) On and after May 1, 1943, no manufacturer shall
- (i) Cut a portion out of the body of the casket so as to make a dropside style:

(ii) Cut the ogee top so as to make a

full couch style;

- (iii) Cut panels on basic and half couch caskets except at center of panel or two inches or less off center of panel in length;
- (iv) Use backing strips or filler strips on base moldings;

(v) [Deleted Mar. 16, 1944]

(vi) Use any interior fitting except what is known as basic or regular, half couch or hinged top fittings; or

(vii) Process or fabricate parts for

elliptic end caskets.

(3) On and after May 1, 1943, no manufacturer shall process, fabricate, work on, assemble, finish or upholster any caskets, or parts for caskets, which do not conform to the specifications contained in Schedule A attached to this order, except that

(i) Plastic caskets produced from molds or forms completed prior to March 3, 1943 need not conform to the specifications on size of caskets contained in Schedule A but shall conform to all other specifications contained in Schedule A,

and

(ii) [Deleted Mar. 16, 1944]

(4) No manufacturer shall process, fabricate, work on or assemble more designs of caskets than the following:

(i) Twelve designs of adult caskets (five feet six inches or more in inside bottom length);

(ii) One design of children's caskets (less than five feet six inches in inside bottom length);

(iii) One additional institution or hospital design (including both children and adults' sizes);

(iv) One design of still born containers: and

(v) Any other designs specifically authorized by the War Production Board pursuant to an application for permission to manufacture, fabricate or assemble substitute designs in place of designs produced on or after May 1, 1943.

(c) Restrictions on production of metal liners. (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of metal liners or produce any metal liners containing any metal, except

(i) [Deleted Mar. 16, 1944]

(ii) Lead to be used for soldering purposes, provided that such lead shall not contain more than 21% of tin by weight;

(iii) Any iron or steel the manufacture or assembly of which has been specifically authorized by the granting of an appeal prior to March 3, 1943;

- (iv) Not more than fifty pounds per metal liner of iron and steel or galvanized steel not exceeding 26 standard gauge in thickness, provided that any manufacturer who possessed in his inventory prior to March 28, 1942, iron and steel, galvanized steel, terne sheet, or copper bearing steel exceeding 26 standard gauge in thickness may use more than fifty pounds of such steel per metal liner.
- (2) No person shall use a metal liner except when hermetical sealing is required
- (i) To comply with federal, state or local government laws and regulations for the transportation or interment of a human corpse; or
- (ii) In fulfillment of preferred orders. (3) No manufacturer or jobber shall sell or otherwise dispose of a metal liner to any person unless such person furnishes the manufacturer or jobber with a certificate in substantially the following form, manually signed by that person

CERTIFICATION

or his authorized agent:

The undersigned purchaser hereby certifies to _____ (Name of seller)

(Address) to the War Production Board that/the metal liners received by reason of this sale will be used by the Army or Navy of the United States, the United States Maritime Commis-sion or the War Shipping Administration or to comply with federal, state or local government laws and regulations which require hermetic sealing for the transportation or interment of a human corpse.

(Name of Purchaser)

(Address)

(Signature of Purchaser or duly authorized agent)

(Date)

- (d) Restriction on the production of shipping cases. (1) Except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any metal for use in the production of shipping cases, or process, fabricate, work on or assemble any shipping cases containing any metal except not more than 7 pounds of iron and steel per shipping case of which not more than 5 pounds may be contained in handle hardware.
 - (i) [Deleted Mar. 16, 1944]

(ii) [Deleted Mar. 16, 1944]

(2) [Deleted Mar. 16, 1944]

(3) On and after May 1, 1943, except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any shipping case, or parts for shipping cases, which do not conform to the specifications contained in Schedule A, attached to this order.

(e) Restrictions on production of burial vaults. (1) No manufacturer shall process, fabricate, work on or assemble any metal for use in the production of burial vaults, or process, fabricate, work on or assemble any burial vaults containing any metal, except not more than two pounds of iron and steel per burial vault and not more than 15 pounds of iron and steel for reinforcing purposes for a concrete vault.

(i) [Deleted Mar. 16, 1944]

(ii) [Deleted Mar. 16, 1944]

(2) [Deleted Mar. 16, 1944]

(3) No manufacturer shall procure or acquire any iron and steel for use as reinforcing material in the production of concrete burial vaults except wire mesh of 10 gauge or heavier wire with openings of 16 square inches or larger, produced from iron or steel in the form of rerolled rail stock, "top cuts" or dis-carded steel. Such wire mesh shall not be procured or acquired in a greater amount than is necessary for 60 days' production of concrete vaults.

(4) [Deleted Mar. 16, 1944]

(5) On and after May 1, 1943, except in fulfillment of preferred orders, no manufacturer shall process, fabricate, work on or assemble any burial vaults or parts for burial vaults which do not conform to the specifications contained in Schedule A attached to this order.

(f) Restrictions on use and transfer of caskets which exceed the dimensions specified in Schedule A. On and after June 1, 1943, no manufacturer or jobber shall sell, deliver or otherwise dispose of a casket which exceeds the dimensions specified in Schedule A attached to this order to any person unless such person furnishes the manufacturer or jobber with a certification in substantially the following form, manually signed by that person or his authorized agent,

(1) [Deleted Mar. 16, 1944] (2) [Deleted Mar. 16, 1944]

CERTIFICATION

The undersigned purchaser hereby certifies

Name of seller

Address

and to the War Production Board that:

(1) He is familiar with the specifications for caskets contained in Schedule A of L-64,

(2) This casket will be used for a body of such size that no casket produced in con-formance with the dimensions specified in Schedule A of L-64 will be adequate.

Name of Purchaser

Address

Bv (Signature of purchaser or duly authorized agent)

A manufacturer or jobber may rely upon such certification unless he knows or has reason to believe it to be false.

- (g) [Deleted Mar. 16, 1944]
- (h) [Deleted Mar. 16, 1944]
- (i) [Deleted Mar. 16, 1944]
- (j) Reports. (1) Each manufacturer of caskets shall file with the War Production Board a catalogue illustration, photograph, snap shot (post card size) or sketch of each design which he proposes to produce under paragraph (b) (4) showing the casket closed and no lining, except that head lid lining may be shown. Each design shall be identified by the factory catalogue number or other distinguishing identification which may be placed on the reverse side of each illustration submitted, together with the manufacturer's name and address.
- (2) Each manufacturer who makes any metal liners for caskets shall file on or before the tenth of the month following the month in which he made them, Form WPB-1600 according to the instructions accompanying that form.
- (k) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.
- (1) Appeal. Any appeal from the provisions of this order must be made on Form WPB-1477 and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.
- (m) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-64.
- (n) Applicability of regulations and other orders. This order and all transactions affected by it are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of caskets; metal liners, shipping cases or burial vaults to a greater extent than does this order, the other order shall govern unless it states otherwise.

(o) [Deleted Mar. 16, 1944]

Issued this 16th day of March 1944. WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

	Ma	dmum d	imenel inches	n (chsi	m in	Maxim meno burio	ions of		Netamountoflumber which may be our-		
Restrictions on sizo	Length		12	13th	Helght	chip; with	ing card carkets s on in inc	s used recifed	predi	d in i ict (sk: i fect)	
	Incido bottom edgo	Over- all sutcide length	In- cide top cdge	Over- oll cutcide width	Over- all cutcide beight	Length	Width	Depth	Cacket speal- fed	Burial tox	Ship- pira cus
Institution coskets Octogen and faring square coskets with-	75	ខា	22	2476	16	84	201/2	37	46	æ	69
cut tase and rail meldings. Cotogen and Caring square caskets with	75	ខា	23	2431	න	84	2034	21	. 55	π	7 5
base and rail mold- ings. Vertical square caskets.	75 75	81 81	222	2016 2016 2016	89	84 84	23% 23%	21 21	67 67	73 73	77

Burial boxes and chipping cases exceeding there dimensions may be produced for plactic or extra size earliest provided that such caskets are not produced in violation of any rule, regulation or order of the Wer Production Board. No manufacturer shall produce or accumulate extra cize caskets in excess of the minimum amount recessary to satisfy demands mode pursuant to programs (I) of this order. Extra size caskets, burial vanits and shapping cases may contain an additional act cameunt of lumber of 3½ beard fact for each three inches of additional length and three beard fact for each two inches of additional width.

Extra size caskets may be made in only three decigns in addition to an institution or haspital casket design and shall be produced in multiples of three inches additional length and two inches in additional width.

A tolerance of one-hold inch in length and one-fourth inch in width is permitted from the specifications of caskets and burial boxes contained in this exhedule.

	Carkets	Burial vaults and chipping- eases
Restrictions on lumber, laminated lumber and plywood.	Not more than 1" thick before milling operations, except: (1) 112" before milling operations for ecomed ling provided no backing strip furned on eyes. (2) 2" before milling operations for combined cide and base or mil molding.	Not more than 1" thick be fore milling operations. Not more than 1 thickness o wood on any part, except (1) top bettens not ex codings in width and 1" in thick for commer cleans not ex coding 2" in width and 1" in thickness, and (3) 2 kids not exceeding 1" in width and 1" in thickness, and (4) 2 kids not exceeding 1" in width and thickness are pro-
Finishing restrictions	Not more than: One coat of realing primer. One coat of realing primer. One coat of realing primer. Not more than: Two ecots of realing primer. Two ecots of realing primer. Two ecots of realing the ser Two ecots of warmline or similar ecoting material for artificial grain finithes or Two ecots of cramel for opeque finithes. Not more than: Two different colors of transparent finithes for each of process of word word, and Two different colors of opeque finithes for each decign. Two colors of ortificial grain finithes may be used in place of transparent finithes, lideaired.	Not more than 1 cost of varnish, paint or similar coating material. No nitro-cellulose hoquers.
Restrictions on linings, covering materials, pillows and feet rells.	No materials in counter liaings (upheletery) except catten fabric. Maximum quantities of royen lining materials per carket: 9 yards with binged top fitting, 7 yards with ball couch fitting and 5/4 yards with bacle fitting. A manufacturer may increase the an aunt of yards used in the above fittings by 16° when used in cattra size carkets (for the purpose of this school-ule each yard contains 120 counte inches). No rayen lining materials at the father half of bacter half cauch eachets. No rayen materials as a ted covering in any carket. No plus effects on lifts (panels) or egges on any carket. No fast rolls in any carket nor more than 1 pillow in any carket.	,

[F. R. Doc. 44-3671; Filed, March 16, 1944; 11:17 a. m.]

PART 3291—CONSUMERS DURABLE GOODS [General Limitation Order L-267, as Amended Mar. 16, 1944]

PHOTOGRAPHIC AND PROJECTION EQUIPMENT, ACCESSORIES, AND PARTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.145 General Limitation Order L-267-(a) Definitions. For the pur-

poses of this order:

- (1) "Restricted photographic equipment" includes any of the following, when containing any critical materials except in joining hardware: Still cameras (except aerial), motion picture cameras (except aerial gun sight aiming point), motion picture projectors (except 35 mm. motion picture projectors), still projectors and enlargers. It does not include: (i) any equipment covered by Limitation Order L-54-c (office machinery); (ii) Any equipment covered by Limitation Order L-206 (X-ray equipment); (iii) X-ray tanks, X-ray hangers, X-ray illuminators, X-ray driers and Xray cabinets; (iv) Any equipment covered by Limitation Order L-226 (printing and publishing machinery, parts and supplies); (v) Any equipment covered by Limitation Order L-190 (scales, balances and weights).
- (2) "Restricted photographic accessories" includes any of the following, when containing any critical materials except in joining hardware or fasteners: Camera accessories, 16 mm and 8 mm projection accessories, 35 mm reels and cans, darkroom and studio accessories, photographic lenses in mounts, photographic shutters for still cameras other than built-in shutters, and photographic carrying cases.

(3) "Critical materials" means iron, carbon steel, alloy steel, aluminum, zinc, copper and copper base alloy.

- (4) "To put into process" means the first change by a manufacturer in the form of material (whether raw, semi or fully fabricated material) from that form in which it is received by him, or the first assembly by a manufacturer of material which is not changed in form, when the change or assembly takes place in the production of restricted photographic equipment, restricted photographic accessories or parts for those products.
- (5) "Preferred order" means any purchase order or contract for the Account of the Army, Aircraft Resources Control Office (ARCO), Navy, Coast Guard, Marine Corps, Maritime Commission, Office of Strategic Services, or armed forces of foreign governments allied to the United States, or any order stating on its face that the products ordered are for eventual delivery to one of those organizations.
- (b) Production of certain cameras and projectors prohibited. No manufacturer shall make or assemble portable hand cameras of the amateur box or fixed focus type, amateur 8 mm cameras, 8 mm projectors or parts for such products.
- (c) Restrictions on production and delivery for preferred orders. (1) No manufacturer shall produce or deliver any restricted photographic equipment, restricted photographic accessories, or

- parts for such equipment or accessories to fill preferred orders, except in accordance with quotas specifically approved by the War Production Board on Form WPB-3038.
- (2) Each manufacturer must file Form WPB-3038 with the War Production Board on or before the fifteenth of March, June, September and December, showing his proposed production and delivery for preferred orders.
- (3) In passing on these forms it will be the general policy of the War Production Board to distribute preferred orders for restricted photographic equipment. restricted photographic accessories, and parts for such equipment and accessories throughout the industry, taking into consideration the productive capacities of the various plants, the needs of the preferred claimants, the adaptability of various plants to the production of the specific items ordered, and the nature of the labor market. The War Production Board will give notice to all manufacturers of the total estimated dollar value of preferred order shipments and the individual percentage of such total tentatively allocated to each manufacturer.
- (d) Restrictions on production for other than preferred orders. (1) No manufacturer shall put into process in any calendar quarter to fill other than preferred orders more critical material than 12% of the average quarterly amount (by weight) of critical materials put into process by him in 1941.
- (2) The restrictions on the use of critical materials in paragraph (d) (1) do not apply to critical materials put into process in the production of the following items to fill other than preferred orders: photographic lenses in mounts, photographic shutters, other than builtin shutters, film reels and cans, photo copy equipment, identification equipment, micro filming equipment. However, these items shall not be manufactured except according to a quota approved under paragraph (d) (3).
- (3) No manufacturer shall produce any restricted photographic equipment, restricted photographic accessories or parts for such equipment or accessories for other than preferred orders, except according to quotas specifically approved by the War Production Board on Form WPB-3038.
- (4) Each manufacturer must file Form WPB-3038 with the War Production Board on or before the fifteenth of March, June, September and December, showing his proposed production and delivery for other than preferred orders.
- (e) Restrictions on delivery for other than preferred orders. No manufacturer shall deliver any new restricted photographic equipment or new photographic accessories or new parts for those products for other than preferred orders except:

- (1) To fill an order bearing a rating of AA-5 or higher.
- (2) As authorized by the War Production Board on Form WPB-1319 in response to an application on that form filed with the nearest field office of the War Production Board.
- (3) Any restricted photographic accessory or restricted photographic equipment which has a manufacturer's list price, including federal excise tax, of ten (10) dollars or less.
- (4) Any part for restricted photographic accessories or restricted photographic equipment delivered to a manufacturer for use in the production of those products as permitted by this order.
- (5) Any part for use as a repair or replacement part.
- (f) Applicability of regulations and other orders. This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of restricted photographic equipment, restricted photographic accessories, or parts for such equipment and accessories to a greater extent than does this order, the other order shall govern unless it states otherwise.
- (g) Appeal. Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., Ref: L-267, referring to the particular provision appealed from and stating the grounds of the appeal.

Note: The application forms and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

- (h) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order. wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.
- (i) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-267.

Issued this 16th day of March 1944. WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 44-3670; Filed, March 16, 1944; 11:18 a. m.]

PART 3293-CHEMICALS

[General Allocation Order M-300 as Amended Mar. 16, 1944]

CHEMICALS AND ALLIED PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of those chemicals and allied products subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.1000 General Allocation Order M-300—(a) Purpose and effect. The purpose of this general allocation order is to provide a central framework for allocation of chemicals and allied products. Materials subject to this order are listed in Appendices A, B and C attached.

Three general systems of allocation are provided for in this order, following the outline of allocations now in general use for chemicals. Appendix A materials are allocated on customers' Form WPB-2945 (formerly PD-600) and suppliers' Form WPB-2946 (formerly PD-601). Appendix B materials are allocated on suppliers' Form WPB-2947 (formerly PD-602), on the basis of certified statements of proposed use from each customer. Appendix C materials are allocated on suppliers' Form WPB-2947 (formerly PD-602), on the basis of applications on customers' Form WPB-2945 (formerly PD-600) for large orders and certified statements of end use to the supplier from customers ordering intermediate quantities.

A separate schedule under this general order is issued for each subject material. The schedule details the information required for applications, and may contain special exemptions or additional requirements modifying the terms of the

general order.

The appendices in this order outline the requirements for applying for each material and show the governing schedule numbers.

The general order will be amended and reprinted in its entirety from time to time, with all changes to date. New or amended schedules will be issued at the same time, or may be issued during the intervening period, in which case Appendices A, B and C will be amended and reprinted separately with all changes to date. Schedules remain in effect until individually amended and will not be reissued each time the general order is reissued or amended.

(b) Definitions. For the purpose of this order:

(1) "Material" means any chemical or allied product listed in Appendix A, B or C, as defined in the schedule governing that-material.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Supplier" means any person who produces or imports a material or who purchases a material for resale as such. (4) "Initial allocation date" means the date when a material first becomes subject to allocation under this order, or when it first became subject to allocation under another order prior to its transfer to this order, whichever date is earlier.

Appendix A Materials—General Requirements

(c) Delivery, acceptance of delivery, and use. On and after the initial allocation date, no supplier of an Appendix A material shall deliver it to any person, no person shall accept delivery of an Appendix A material from a supplier, and no person shall use an Appendix A material, except as specifically authorized in writing by the War Production Board upon application under this order.

Appendix B Materials—General Requirements

(d) Delivery and use by suppliers. On and after the initial allocation date, no supplier of an Appendix B material shall use or deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(e) Certified purchase orders. With respect to material ordered for delivery on and after the initial allocation date:

(1) Each person ordering an Appendix B material from a supplier shall furnish a certified statement of end use with his purchase order in accordance with Appendix D.

(2) Each person shall use material delivered on a certified purchase order only as certified, unless advised by his supplier that a particular specified use has been denied or limited by the War Production Board or unless otherwise specifically authorized in writing by the War Production Board. However, any person not a supplier may redeliver material to a supplier without restriction.

(3) Each supplier within a week after receipt of authorization to ship shall notify his customer of denial in whole or in part by the War Production Board of any item or items on a certified purchase order placed by the customer.

Appendix C Materials—General Requirements

(f) Delivery. On and after the initial allocation date, no supplier of an Appendix C material shall deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(g) Acceptance of delivery. On and after the initial allocation date, no person shall accept delivery during any allocation period from all suppliers of an aggregate quantity of an Appendix C material in excess of the quantity specified in Column 3 of Appendix C, except as specifically authorized in writing by the War Production Board upon application under this order.

(h) Use. On and after the initial allocation date, no person shall use an Appendix C material except as follows:

(1) As specifically authorized in writing by the War Production Board upon application on Form WPB-2945 (formerly PD-600); or

(2) For the purpose and in the quantity stated in the use certificate furnished with the purchase order against which the material was delivered, unless advised by the supplier that a particular specified use has been denied or limited by the War Production Board.

(i) Certified purchase orders. (1) Each person ordering an aggregate quantity of an Appendix C material within the limits specified in Column 4 of Appendix C from all suppliers for delivery during any allocation period, shall furnish each supplier with a use certificate in accordance with Appendix D.

(2) Each supplier within a week after receipt of authorization to ship shall notify his customers of denial in whole or in part by the War Production Board of any item or items on their certified purchase orders.

Additional Reports and Certificates— Special Requirements

(j) Past use and inventory report. Periodic or one-time reports on Form WPB-3442 covering past use and inventory may be required by the applicable schedule.

(ir) Supplementary use certificates. Persons required to file statements of use with respect to materials subject to this order may be required by the applicable schedule to obtain supplementary statements of use from their customers.

Existing Stocks on Initial Allocation Date

(1) Suppliers' stocks. The restrictions on delivery and use of Appendix A, B, and C materials shall apply to all stocks of each supplied on the initial allocation date. Stocks of suppliers who resell exclusively on small orders are exempted by paragraph (o) (4).

(m) Exemption for stocks of suppliers who consume. If a supplier customarily maintains inventories of an Appendix A, B or C material for his own consumption separately, both physically and on his books, from his inventory of the material for sale, his stocks on the initial allocation date for his own consumption shall be subject to the provisions of the following paragraph (n) regarding consumers' stocks and not to the restrictions of paragraph (1) above regarding suppliers' stocks. Prior to the initial allocation date, no supplier shall transfer any more material to his inventory as a consumer than his rated orders for derivatives of the material compared with his rated orders for the material itself would permit under Priorities Regulation No. 1.
(n) Consumers' stocks. Any person

(n) Consumers' stocks. Any person not a supplier may freely use, deliver or accept delivery of any Appendix A, B or C material which he had in stock on the initial allocation date or which was in transit consigned to him prior to that date, unless otherwise expressly provided in the applicable Schedule (indicated by asterisk in Column 7 of Appendix A).

Small Order Exemption

(o) Small order deliveries by cuppliers. A supplier may fill small orders

without application or specific authorization, if he delivers not more than the small order exemption quantity specified in Appendix A, B or C to any customer in any allocation period, if he has received small order certificates when so required, and if the total amount delivered does not exceed the sum of the following:

(1) The amount which he has been specifically authorized, upon application on the applicable supplier's form (WPB-2946 or 2947) to deliver on small

orders;

(2) The amount which he has received pursuant to specific authorization or certification for redelivery on small orders;

(3) The amount which he himself acquired on small orders and has not used for other purposes;

(4) The amount which he had on hand on the initial allocation date, if he sells

exclusively on small orders.

- (p) Acceptance of delivery and use of small order quantities. Any person during each allocation period may use and accept delivery of the small order exemption quantity provided in Appendices A, B and C for each material, provided that:
- (1) The total accepted from all suppliers during each allocation period shall not exceed in the aggregate one small order exemption quantity;
- (2) Quantities received under the small order exemption shall be used only for experimental purposes if additional quantities of the material are received during the same allocation period on specific allocation;

(3) Use of the material is subject to any special limitations on use contained in the applicable schedule (noted with a "u" in the small order exemption columns of Appendices A, B and C);

(4) Acceptance is subject to the filing of a special small order cerificate when required by the applicable schedule (noted with a "c" in the small order columns of Appendices A and C).

Territorial and Import-Export . Provisions

(q) Territorial limitations. This order shall apply only to acts occurring within the forty-eight States and the District of Columbia, unless otherwise provided

in the applicable schedule.

- (r) Imports. Application and authorization under this order shall not be required for importation of an Appendix A, B and C material into the United States, acceptance of delivery of the material by the consignee and delivery by such consignee to, and acceptance by, any person who purchased or contracted to purchase the material prior to its importation. No person who acquires an Appendix A, B or C material under this exemption shall use it after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order. Nothing contained in this order limits the requirements of General Imports Order M-63.
- (s) Exports. (1) No supplier shall export or deliver for export on Appendix A, B or C material after the initial allo-

cation date except as specifically authorized in writing by the War Production Board upon application under this order, or except to fill exempt small orders. A producer who is also an exporter shall treat the export part of his operations as a separate entity for the purpose of this order. An exporter applying on Form WPB-2945 (formerly PD-600) for allocation and to the Foreign Economic Administration for an export license for the same material subject to this order, shall file both sets of applications together with the Foreign Economic Administration.

(2) Authorized deliveries for export must be made within the authorized period, unless the exporter notifies the supplier and the War Production Board in writing that delivery must be postponed to a later specific period, in which case the limitation of duration of authorization in paragraph (t) is automatically waived, subject to any special directions from the War Production Board. After an exporter has accepted an authorized delivery for export he may export the material at any time to the destination for which allocation was made without further application or authorization under this order.

Duration of Authorizations

(t) Duration of authorization for delivery. If it is not practicable for a supplier to make all deliveries in the allocation period for which authorized, he may complete them as early as practicable in the next month. However, authorization shall terminate if the purchaser fails to place his order before the end of the allocation period or if the purchaser requires postponement of delivery beyond 10 days after the allocation period.

(u) Duration of authorization for acceptance of delivery. A purchaser may accept delivery after the allocation period but shall notify the War Production Board and hold the material intact subject to direction from the War Production Board if he knows or has reason to believe that the shipment was made after the authorization for delivery had expired.

(v) Duration of authorization for use. Authorization for use on Form WPB-2945 (formerly PD-600) shall be valid during the allocation period for which the authorization was issued and the following month. Any unused portion remaining thereafter shall not be used for any purpose until further authorized or directed by the War Production

Action by War Production Board

- (w) Individual actions. In addition to regular allocations under this order, the War Production Board may at any time issue special directions to any person with respect to:
- (1) Use, delivery or acceptance of delivery of an Appendix A, B or C material: or
- (2) Production or processing of an Appendix A, B or C material; or
- (3) Preparation and filing of forms and certificates required by this order or by its schedules, subject to approval by

the Bureau of the Budget when required by Federal Reports Act of 1942.

Miscellaneous Provisions

(x) Miscellaneous provisions—(1) Toll arrangements. In the case of any toll arrangement where raw materials are converted into any Appendix A, B or C material by any person for the owner of the raw materials, the owner shall be considered the producer for the purpose of applications and authorizations under this order, and the Appendix A, B or C material may be delivered to him without restriction.

(2) Laboratories. This order is subject to the provisions of Supplementary Order P-135-a, which contains optional provisions for filing of small order and end use certificates by laboratories ordering reagent chemicals, and for acceptance by laboratories of small order deliveries of reagent chemicals.

(3) Equivalent quantities. The provisions of this order relate to quantities of material and not to the identity of any

particular lot of material.

- (4) Full container adjustments. A specifically authorized delivery (not including an exempt small order delivery) may be increased to the extent necessary to avoid shipping partly filled containers, if a container in the nearest practicable size is used. The person accepting overshipment shall hold the excess material as an advance shipment on subsequent allocations, and shall use it only for the purpose authorized for the subsequent allocation against which it is credited, or shall hold it in inventory subject to further directions from the War Production Board.
- (5) Allocated inventory. Material which is allocated for inventory shall not be used or disposed of for any purpose, except as specifically directed by the War Production Board. Material which has not been used for the purpose for which it was allocated shall revert to inventory as if originally allocated for inventory. Pending receipt of material allocated for a particular purpose, stocks on hand may be used for that purpose. The quantity withdrawn from allocated inventory must be replaced upon receipt of the allocated material.

(6) Applicability of regulations. This order, its schedules, and all transactions affected thereby, are subject to all applicable War Production Board regulations, as amended from time to time.

(7) Approval of reporting requirements. Forms WPB-2945, 2946, 2947 and 3442, and the instructions in this order and in its Appendices and schedules for applications and reports regarding materials subject to this order, have been approved by the Burcau of the Budget in accordance with the Federal Reports Act of 1942.

(8) Violations. Any person who wilfully violates any provision of this order or of its schedules or who, in connection with such order or schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty

of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priority assistance.

(9) Communications to War Production Board. All reports required to be

filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemical Bureau, Washington 25, D. C.; Ref: M-300-(specify applicable schedule number).

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAM, Recording Secretary.

APPENDIX A-ALLOCATION USING FORMS WPB-2945 AND WPB-2946 (FORMELLY PD-000 AND 001) Note: "Benzaldehyde" added Mar. 16, 1944.

Material	Sched- ule	Customers' filing dato (WPB-2945)	Suppliers' filing date (WPB-2046)	Small order exemption per allecation per allecation period ("u" indicates uso restriction in eckedule; "e" indicates small order extificate required by schedule).	Report on Form WPB-3442	initial affection date and allocation for field ("Indicates urar"s etecks freeen)
1	2	3	4	£	G	7
Nicotinic scid	1	15th	201h	1 kilogram	Nese	5-1-13 Menth
Anhydrous bydro- fluoric acid.	4	15th	20th	500 lbs	Nerg	S-1-46 Menth
Benzaldehyde	7	15th	£01bd102	£0 lbs	None	4-1-44 Mentb

Appendix B-Allocation Using Suppliers' Form WPB-2947 (Formerly PD-692) With CUSTOMERS' USE CERTIFICATES

Material '-	Sched- ule	Suppliers' fil- ing date (WPB-2247)	Smallerder exemption per allocation period—No certificate required ("u" indicates use restriction in schedule)	Report on Ferm WPB- 3442	Initial allies that date and alliestica period
1	2	3	4	5	6
Riboflavin	2	20th	100 grams	None	4-1-43 Meath
Peroxygen chemicals: Hydrogen peroxide Sodium peroxide Sodium perborate	} 5	20th	600 lbs 75 lbs 25 lbs	Ycs	4-1-11 Month

APPENDIX C-ALLOCATION USING FORM WPB-2947 (FORMERLY PD-C02) FOR SUPPLIERS, AND CUS-TOMERS' FORM WPB-2945 (FORMERLY PD-600) FOR LARGE ORDERS AND USE CERTIFICATED FOR INTERMEDIATE ORDERS '

		Customer's	applications	Smalt erder ex- emption per al-			
Material	Sched- ule	On Form WPB- 2945 filing date and quantities per allocation period from all suppliers	Uso certificato quantities per allocation period from all suppliers	quantities per schedule, "c" in display allocation display small (W period from all corder extificate i 2		Reronten Ferm WPB- 342	Initial al lecation date and allecation period
1	2	3	4	δ.	6	7	8
Thiamine hydrochloride.	3 <u>;</u> 6	15th—more than 2,000 grams 1st—15,000 lbs. cr more.	Between 100— 2,000 grams, Between 440- 15,000 lbs.	169 grams 460 lbs. per quar- ter.	20th	Neme On Ferm W P B 2772in- stend.	5-4-13 Meath 7-1-43 Quarterly

APPENDIX D-USE CERTIFICATE GENERAL INSTRUCTIONS

(1) Each person required to file a use certificate with a purchase order for material subject to this order shall furnish the sup-plier with a certified statement of proposed use of the material in substantially the Tollowing form, either placed on or attached to the purchase order:

(Statement of quantity of listed material required for each specified product and end use—see instructions in the applicable schedule and the instructions in paragraphs (10) and (11) of Appendix E for description of proposed use.)

USE CERTIFIED-REP. M-300

Name of purchaser

(Signature and title of duly authorized officer)

(2) In the event two or more end uses are involved in a single purchase order, the amount of the material required for each use shall be listed as a separate item. Each item shall bear an identifying number to that it will be possible for the supplier to advice his customer by purchase order number and item number as to the action taken in the supplier's application for authorization to

supplier's application for authorization to make delivery.

(3) A written purchase order placed by any department or agency of the United States Government pursuant to the Act of March 11, 1941 (Lend-Lease Act) shall constitute a use certificate for the purpose of this order, if the purchase order specifies the National Constitute of the Lend-Leace contract or requisition number.

(4) A cartified statement on Form WPB-2345 (formerly PD-600), or on any equivalent form, of quantities of material ordered for each intended product and end use, shall constitute a use certificate for the purpose

of this order.

(5) The special certificate specified in Supplementary Order P-135-a may be used by laboratories when applicable instead of the above certificate.

APTINDIX E-FORMS WPB-2945, 2346 AND 2347-GENERAL INSTRUCTIONS

Customers' Form WPB-2945 (formerly PD-600). Each person requiring specific authorization to use or accept delivery of a material subject to this order shall file application on Form WPB-2345 in the manner prescribed therein, subject to the following general instructions:

(1) Where to obtain copies. Copies may be obtained at local field offices of the War Pro-

duction Board.

(2) Special instructions in schedules. The (2) Special instructions in sententies. The applicable schedule may contain special instructions for applying for the particular material, supplementing or modifying the following general instructions.

(3) When application is required. Application for specific authorization is required for use or acceptance of delivery during any al-location period of a quantity exceeding the small order exemption in Column 5 of Appendix A, or of a quantity specified in Column 3 of Appendix C, or for use of an Appendix A, B or C material which has previously been allocated for a different purpose or for inventory.

(4) Time of filing. Application for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 3 of Appendix A or C.

(5) Number of copies and where to file. Prepare five copies, retain one, send one (reverse side blank) to the supplier, if any, and send three copies (original certified) to the War Production Board, Chemicals Eureau, Wachington 25, D. C., Reference M-300-_ Washington 25, D. C., Reference M-300-(opecify schedule number). Exporters, how-ever, when applying to the Foreign Economic Administration for an export license for material for which War Production Board allocation is requested, shall send both sets of applications to the Foreign Economic Administration.

(6) Applications regarding suppliers and intentory. When applying only for use from inventory, opacify "Inventory" as supplier in the heading. When applying for material from other companies as cuppliers, file separate sets of applications for each supplying company. A combined application may be made to accept delivery and use material from another company as supplier, and to use an additional quantity from inventory. It will be presumed that applications which name enother company in the heading as supplier relate only to acceptance of delivery and use relate only to acceptance of delivery and use of material from that supplier, unless it is clearly indicated that part of the application relates to use of an additional quantity from inventory. This may be indicated by specifying the requested quantity from inventory separately in Column 2 (quantities requested) and by specifying in Column 10 (Remarks) "From Inventory").

(7) Heading. Fill in as indicated, specifying as WPB Order No., "II-330-____" (specify Schedule number).

Schedule number).

(8) Table I. Specify in the heading the allocation period for which authorization for acceptance of delivery or use is sought.

(9) Columns 1 and 2. Fill in as indicated, subject to the instructions in the applicable Schedule.

(10) Column 3. Specify the proposed primary use of the material sought in terms of the proposed primary product to be made from the material (as indicated in the applicable Schedule), or specify the use as for resale, export or inventory of the requested material in original form.

(11) Column 4. Fill in as follows:

Opposite any primary product in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number (and Schedule number, if allocated under General Allocation Order M-300).

Opposite any primary product in Column 3 which is not under allocation, specify in Column 4 the end use accurately and briefly, giving Army or Navy specification or con-tract numbers, or Lend-Lease requisition and

contract numbers, when practicable.

Opposite "resale" in Column 3, suppliers shall write into Column 4 "upon further authorization" or "for exempt small orders". Suppliers who resell in both large and small quantities should specify "upon further authorization" for the total quantity ordered, and should apply on their suppliers' Form WPB-2946 or 2947 for authorization to deliver

an aggregate quantity for small orders.
Opposite "export" in Column 3 specify in Column 4 the name of the individual company or governmental agency to whom, or for whose account, the material will be exported, the country of destination, and the governing export license or contract number, unless Lend-Lease, in which case merely specify the Lend-Lease contract and requisition number.

Opposite "inventory" in Column 3, write into Column 4, "subject to further authorization".

(12) Columns 9 and 10. Leave blank, except for remarks, if any, in Column 10.
(13) Tables II, III and IV. Fill in as indi-

cated except as otherwise provided in the applicable schedule. In Columns 15 and 16, report entire physical inventory, whether or not subject to valid authorization or exemption on the dates specified. Suppliers who both sell and consume the material shall keep separate accounts of their sales and consumption inventories, reporting only the latter on customers' Form WPB-2945.

(14) Table V. Fill in only when and as required by the applicable schedule.

SUPPLIERS' FORMS

Suppliers' Forms WPB-2946 and 2947 (formerly PD-601 and 602). Each supplier requiring specific authorization to make delivery shall file application on Form WPB-2946 for an Appendix A material and on Form WPB-2947 for an Appendix B or C material, in the manner prescribed in these forms, subject to the following general instructions:

(15) Where to obtain copies. Copies may be obtained at local field offices of the War Production Board.

(16) Special instructions in schedule. The applicable schedule may contain special instructions for applications to deliver the par-ticular material, supplementing or modifying the following general instructions.

(17) When application to deliver is required. Application for specific authorization to deliver an Appendix A, B or C material is required for any delivery by a supplier after the initial allocation date which is not subject to small order exemption.

A supplier who wishes to divert to his own use any part of his own production shall list his own name on the applicable supplier's form as in the case of any other customer, in addition to applying on customer's Form

WPB-2945 (formerly PD-600) when so re-

(18) Time of filing. Applications for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 4 of Appendix A or Column 3 of Appendix B or Column 6 of Appendix C.

(19) Number of copies and where to file. Prepare five copies, retain one, and send four copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300 ——— (specify schedule number).

(20) Number of sets. File a separate set of forms for each separately located plant or distributing point, unless otherwise ex-

pressly provided in the applicable schedule.
(21) Heading. Fill in as indicated, specifying as WPB Order No. "M-300 ——". (spec-

ify schedule number).

(22) Table I. Fill in as indicated on Form (22) Table 1. Fill in as indicated on Form WPB-2946 (formerly PD-601). List customers alphabetically, as far as practicable. On Form WPB-2947 (formerly PD-602) group customers according to end use and list alphabetically within each group, as far as practicable. If the applicant supplier wishes to use any part of his own production, he should list his own name as a customer on his supplier's form as in the case of any other customer. An aggregate quantity may be requested for exempt small orders without listing individual customers' names. In the case of Appendix C materials specify "WPB-2945" without further use description in Column 1-a of Form WPB-2947 opposite the names of customers who have filed copies of Form WPB-2945 with the applicant supplier,

(23) Table II. Fill in as indicated. In Column 10 and 13 report stocks on physical inventory basis regardless of whether any part of the stock is subject to valid authorization to deliver on the date specified. In Column 16, specify a quantity no greater than what is estimated will be available for allocation during the requested allocation period, taking into account undelivered balances on still valid prior authorizations.

[F. R. Doc. 44-3672; Filed, March 16, 1944; 11:16 a. m.]

PART 3294-IRON AND STEEL PRODUCTION [General Preference Order M-21-b-1, as Amended Mar. 16, 1944]

GENERAL STEEL PRODUCT DISTRIBUTORS

Section 3294.81 General Preference Order M-21-b-1 is amended to read as follows, effective April 1, 1944. Up to that date, General Preference Order M-21-b-1 as amended January 13, 1944, will govern.

§ 3294.81 General Preference Order M-21-b-1—(a) Purpose and scope. This order tells how a distributor obtains deliveries of general steel products for his own stock or for direct delivery to his customers. The rules governing his purchases of merchant trade products are contained in General Preference Order M-21-b-2, and the rules governing his deliveries of all types of steel products to consumers are contained in CMP Regulation No. 4.

(b) Definitions. For the purposes of this order:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I to CMP Regulation No. 1.

(2) "Alloy steel" means alloy steel as defined in Order M-21-a.

(3) "Carbon steel" means any steel (including wrought iron) other than alloy steel.

(4) "General steel product" means any of the steel products listed in Schedule A

of this order.

(5) "Product group" means any of the 17 numbered groups of general steel products listed in Schedule A of this

(6) "Type" means (i) carbon steel, or (ii) stainless steel, or (iii) other alloy

steel.

(7) "Base tonnage" of a distributor for any product group and type at any location means the tonnage of that product group and type certified to that distributor for that location by the War Production Board on form GA-996. In general, the base tonnage of any product group and type will be the tonnage delivered by that distributor from stock at that location during the first three months of 1941. In no event will a base tonnage be established for a distributor at any location except for product groups and types which he was regularly receiving into stock from producers on or before August 9. 1941.

(8) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer) who receives physical delivery of steel into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding. A person who, in connection with any sale, bends, punches or fabricates steel for final use or assembly shall not be considered a distributor with respect to that

(9) "Delivery" includes deliveries re-

ceived on consignment.

(c) Purchases for stock—(1) From a producer; only replacement orders permitted. A distributor may not order general steel products for his stock from a producer except to replace general steel products delivered from his stock at one or more locations during the previous 90 days to consumers in accordance with CMP Regulation No. 4, or to other distributors in accordance with this order, plus scrap accumulated in the course of warehouse operations and actually sold to a scrap dealer or melter and reported to the War Production Board on Form WPB-2888, and which he has not previously replaced or ordered for replacement. Within these limits, a distributor may order any general steel product for his stock from any producer.

(2) From a producer; quantity limits on product groups. No distributor may order steel plates (product group No. 3), mechanical tubing (product group No. 8), pressure tubing (product group No. 9), or sheets and strip, hot rolled (product group No. 11) from producers for delivery to his stock, unless he has a base tonnage for the product group and type ordered. No distributor may order any of these product groups and types from producers for delivery to his stock during. any calendar quarter in excess of 150% of his base tonnage for such product

group and type.

- 45. From nother distributor; replacement orders. A distributor may order general steel products for stock replacement from another distributor in the same manner and subject to the same restrictions as when he purchases from a producer.
- (4) From another distributor; salvaged and excess steel. In addition, a distributor may order for his stock from another distributor any general steel product items which the latter has purchased from a holder of idle or excess inventories in accordance with paragraph (c) (5) of this order, or has salvaged from material purchased as scrap. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order. However, the distributor making such a delivery may not use it to support his own stock replacement order with a producer or another distributor.
- (5) From a holder of idle or excess inventories. In addition, a distributor may order any general steel products for his stock from a holder of idle or excess inventories on a "special sale" as provided in Priorities Regulation No. 13. Such material does not have to be ordered on a replacement basis, and previous deliveries from his stock are not needed to support such an order.
- (6) How to place orders. Each order for general steel products for shipment to a distributor's stock must bear the words "For distributor's stock." On orders placed with producers for product groups for which the distributor has a base tonnage for the location where the material will be received into stock, he should also place the serial number assigned him on his GA-996 certificate: but this serial number must not be used on any other sort of order. In addition, an order placed under paragraph (c) (4) must bear the word "salvage" or "excess" to show that the order is for the sort of material described in that paragraph. This will constitute a representation to the seller and to the War Production Board that the purchase order complies in all respects with the requirements of this order. No other endorsement or form is required.
- (7) Status of orders for delivery to stock. An order placed with a producer in acordance with this paragraph (c) and bearing the distributor's serial number, or an order placed with a holder of idle or excess inventories, will be considered an authorized controlled material order. Any other order placed in accordance with this paragraph (c) may, but need not, be accepted; any part of the order which is accepted will be considered an authorized controlled material order.
- (d) Purchases for direct delivery to a customer—(1) Placing of orders. A distributor who receives from a customer an order which he is permitted to fill under CMP Regulation No. 4 or under paragraph (c) above, or an order which has been specifically authorized by the War Production Board, and who wishes to

arrange for direct delivery from a supplier to the customer, must furnish with his own purchase order a copy of the endorsement received by him from the customer including the customer's name, or a copy of the specific permission granted by the War Production Board. The distributor may not specify delivery to his own warehouse unless the order is for less than a minimum carload; and in the latter case, the material must be promptly redelivered by him to his customer. A distributor may not use any such sale to support an order for stock replacement.

(2) Status of orders. An order placed in accordance with this paragraph (d) may, but need not, be accepted by the supplier. Any part of the order which is accepted shall be considered an authorized controlled material order. If a producer rejects such an order designating shipment to a consumer when he has open space available to fill it, he must immediately notify the distributor in writing that he is prepared to fill an authorized controlled material order direct from the consumer or through another person.

(e) Warehouse load directives. A distributor may replace orders in accordance with paragraph (c) for any general steel product with any producer. However, when necessary to secure an equitable distribution of any scarce general steel product, the War Production Board may direct producers to reserve each month a part of their production of such product to fill authorized controlled material orders bearing distributors' serial numbers. In order to take advantage of the tonnage reserved for any month, a distributor must submit his orders in accordance with paragraph (c) to a producer not later than the expiration date stated in the warehouse load directive. A producer may fill distributors' orders for that month received after the expiration date but may not reserve any space for them. A producer may not, until after the expiration date, schedule distributors' orders which do not bear a serial number.

(f) Earmarked warehouse stocks. The War Production Board may establish earmarked stocks of general steel products with any distributor. Deliveries to and from such stocks must be made in accordance with specific directions which will be issued to the distributor when the earmarked stock is established.

(g) Establishing an initial stock. This paragraph covers three groups: persons who have not previously been authorized to act as distributors of general steel products, distributors wishing to purchase for stock a product group which they have not previously handled, and distributors who have not previously purchased general steel products from producers but who now wish to do so.

(1) New distributors. A person who has not previously been a distributor of any general steel products from stock may purchase an initial inventory of general steel products from a holder of idle or excess inventories in accordance with paragraph (c) (5) of this order.

Daliveries from such stock may be replaced in accordance with paragraph (c) of this order.

(2) New product lines or sources of supply. A distributor wishing to add a new general steel product group to his stock, or any distributor who wishes to place orders with producers for the first time may do so by placing orders in the manner authorized by paragraph (c) of this order.

(h) General provisions—(1) Reports. Each distributor must file a quarterly report on form WPB-2888 for each location at which his total base tonnage of general steel products, or his receipts of general steel products into stock from producers during the quarter, exceeds 150 tons. In addition, if his base tonnage of tool steel (product group No. 7) for any location, or his receipts of tool steel into stock at any location from producers during the quarter, exceed 25 tons, he must file this report. Each report must be filed in duplicate with the Bureau of the Census, Washington 25, D. C., on or before the 15th day of January, April, July and October. Each distributor, even though he is not required to file this report, must maintain for at least two years a record of his shipments from stock, receipts into stock, and inventory of each product group on hand at the end of each calendar quarter. This record must be available for inspection at any time by authorized representatives of the War Production Board.

(2) Appeals. Any appeal from this order must be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(3) Communications to War Production Board. All appeals or other communications concerning this order should be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington 25, D. C., References: M-21-b-1.

(4) Violations. Any distributor or other person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) Special instructions. The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

Norz: The record keeping and reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

War Production Board, By J. Joseph Whelan, Recording Secretary. SCHEDULE A-GENERAL STEEL PRODUCTS

	Typ ir	es of	steel
* · ·	Carbon	Stainless	Othor alloy
1. Ingots, blooms, billets, slabs, tube rounds, die blocks, sheet and tin bars 2. Structural shapes and piling 3. Plates (universal and sheared including skelp) 4. Ralis and track accessories. 5. Hot rolled bars—except concrete reinforcing bars but including forged, galvanized, and wrought iron bars. 6. Cold finished bars. 7. Tool steel, including drill rod 8. Mechanical tubing. 9. Pressure tubing. 10. Wire rods (for wire drawing only) 11. Sheets and strip, hot rolled 12. Bheets and strip, lot rolled 13. Tin mill black plate 14. Eheets and strip, all other (except).	x x x x x x x x x x x x x x x x x x x	x	x x x x x x x x x x x x x x x x x x x
tin plate, short ternes, and gal- vanized). 15. Wheels and axles (including steel tires and rims). 16. Castings (rough castings only). 17. Concrete reinforcing bars (unfab- ricated).	x x x	x	x

[F. R. Doc. 44-3661; Filed, March 16, 1944; 11;16 a. m.]

PART 3294—IRON AND STEEL PRODUCTION [General Preference Order M-21-b-2, as Amended Mar. 16, 1944]

MERCHANT TRADE PRODUCTS DISTRIBUTORS

Section 3294.86 General Preference Order M-21-b-2 is amended to read as follows, effective April 1, 1944. Up to that date, General Preference Order M-21-b-2, as amended November 4, 1943, will govern.

§ 3294.86 General Preference Order M-21-b-2—(a) Purpose and scope. This order tells how a distributor obtains deliveries of merchant trade products for his own stock or for direct delivery to his customers. The rules governing his purchases of general steel products are contained in Order M-21-b-1, and the rules governing his deliveries of all types of steel products to consumers are contained in CMP Regulation No. 4.

ed in CMP Regulation No. 4.

(b) Definitions. (1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule 1 to CMP Regulation No. 1.

(2) "Merchant trade products" means any of the steel products listed in Schedule I of this order.

(3) "Product group" means any of the 12 numbered groups of merchant trade products listed in Schedule I of this order.

(4) "Base period" means

(i) For merchant trade products in product groups 20-23, inclusive, the calendar year 1940.

(ii) For merchant trade products in product groups 24–31, inclusive, the 12 months ending June 30, 1941.

(5) "Base tonnage" of a distributor for any product group at any location means the tonnage of that product group delivered by producers to his stock at that location during the base period, or such other tonnage as may be specifi-

cally established by the War Production Board. By the use of Form WPB-2889 a distributor can shift his base tonnage for any product group from one producer to another.

ducer to another.

(6) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer) who receives physical delivery of steel into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding. A person who, in connection with any sale, bends, punches or fabricates steel for final use or assembly shall not be considered a distributor with respect to that sale.

(7) "Delivery" includes deliveries received on consignment.

(8) "Minimum carload" means a carload weighing not less than 40,000 lbs.

(c) Purchases for stock—(1) From a producer; only replacement orders permitted.A distributor may not order merchant trade products for his stock from a producer except to replace merchant trade products which he delivered from his stock at one or more locations during the previous 12 months to consumers in accordance with CMP Regulation No. 4, or to other distributors in accordance with this order, and which he has not previously replaced or ordered for replacement. Within these limits, a distributor may order any merchant trade product for his stock from any producer. When placing orders with producers a distributor should, so far as possible, specify deliveries in not less than minimum carload quantities in order to save transportation.

(2) From another distributor; replacement orders. A distributor may order merchant trade products for stock replacement from another distributor in the same manner and subject to the same restrictions as when he purchases from a

producer.

(3) From another distributor; salvaged and excess steel. In addition, a distributor may order for his stock from another distributor any merchant trade product items which the latter has purchased from a holder of idle or excess inventories in accordance with paragraph (c) (4) of this order, or has salvaged from material purchased as scrap. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order. However, the distributor making such a delivery may not use it to support his own stock replacement order with a producer or another distributor.

(4) From a holder of idle or excess inventories. In addition, a distributor may order any merchant trade products for his stock from a holder of idle or excess inventories on a "special sale" as provided in Priorities Regulation No. 13. Such material does not have to be ordered on a replacement basis, and previous deliveries from stock are not needed to support such an order.

(5) How to place orders. Each order for merchant trade products for shipment to a distributor's stock must bear

the words "For distributor's stock." In addition, an order placed under paragraph (c) (3) must bear the word "salvage" or "excess" to show that the order is for the sort of material described in that paragraph. This will constitute a representation to the seller and to the War Production Board that the purchase order complies in all respects with the requirements of this order. No other endorsement or form is required.

(6) Status of orders for delivery to stock. An order placed with a producer in accordance with this paragraph (c) for delivery of a merchant trade product to stock at a location where the distributor has a base tonnage for that product group with that producer, or an order placed with a holder of idle or excess inventories, will be considered an authorized controlled material order. Any other order placed in accordance with this paragraph (c) may, but need not be accepted; any part of the order which is accepted will be considered an author-

ized controlled material order.

(d) Purchases for direct delivery to a customer-(1) Placing of orders. A distributor who receives from a customer an order which he is permitted to fill under CMP Regulation No. 4 or under paragraph (c) above, or an order which has been specifically authorized by the War Production Board, and who wishes to arrange for direct delivery from a supplier to the customer, must furnish with his own purchase order a copy of the endorsement received by him from the customer including the customer's name, or a copy of the specific permission granted by the War Production Board. The distributor may not specify delivery to his own warehouse unless the order is for less than a minimum carload; and in the latter case, the material must be promptly redelivered by him to his customer. A distributor may not use any such sale to support an order for stock replacement.

(2) Status of orders. An order placed in accordance with this paragraph (d) may, but need not, be accepted by the supplier. Any part of the order which is accepted shall be considered an authorized controlled material order. If a producer rejects such an order designating shipment to a consumer when he has open space available to fill it, he must immediately notify the distributor in writing that he is prepared to fill an authorized controlled material order direct from the consumer or through an-

other person.

(e) Warehouse load directives. A distributor may place orders in accordance with paragraph (c) for any merchant trade product group with any producer. However, when necessary to secure an equitable distribution of any scarce merchant trade product, the War Production Board may direct producers to reserve each calendar quarter a part of their production of such product to fill authorized controlled material orders from distributors for whom they have a base tonnage covering a specific location or locations. In order to take advantage of any such reserved tonnage, a distributor must submit his orders in accordance with paragraph (c) to the producer then holding his base tonnage, not later than the expiration date stated in

the warehouse load directive. A producer may fill distributors' orders for that quarter received after the expiration date, but may not reserve any space for them. A producer must consider the first orders for any product group received from any distributor for delivery in a particular calendar quarter as applicable to the tonnage of such product group reserved for that distributor during that quarter. In addition to the tonnage of any product group which a distributor may order against the amount reserved for him by a warehouse load directive, he may place other properly supported orders for that product group with the same or any other producer in accordance with paragraph (c). However, a producer may not schedule such orders for delivery until after his obligations under the warehouse load directive have been filled, or unless when the order is received he knows that he will have material for shipment to distributors over and above the tonnage required to satisfy his warehouse load directive.

- (f) Earmarked warehouse stocks. The War Production Board may establish earmarked stocks of merchant trade products with any distributor. Deliveries to and from such stocks must be made in accordance with specific directions which will be issued to the distributor when the earmarked stock is established.
- (g) Establishing an initial stock. This oparagraph covers three groups: persons who have not previously been authorized to act as distributors of merchant trade products, distributors wishing to purchase for stock a product group which they did not handle during the base period, and distributors who did not purchase merchant trade products from producers during the base period but who now wish to do so.
- (1) New distributors. A person who has not previously been a distributor of any merchant trade products from stock may purchase an initial inventory of merchant trade products from a holder of idle or excess inventories in accordance with paragraph (c) (4) of this order. Deliveries from such stock may be replaced in accordance with paragraph (c) of this order.
- (2) New product lines or sources of supply. A distributor wishing to add a new merchant trade product group to his stock, or any distributor who wishes to place orders with producers for the first time may do so by placing orders in the manner authorized by paragraph (c) of
- (h) General provisions—(1) Reports. Each distributor who has a base tonnage for any of the following groups of merchant trade products at any one location in excess of that shown below must file with the Bureau of the Census, Washington, D. C., a quarterly report for such location in duplicate on Form WPB-2892.

Pipe (product groups 20-21)____ ___ 240 Tin and terne plate (product group 22)__ 240 Galvanized, lead coated, or painted sheets and strip, including roofing and siding, valley, ridge roll, and flashing (product group 23)_____ 240 Wire products (product groups 24-31) __ 240 This report must also be filed by a distributor for any of his warehouses which during the quarter receives into stock from producers over 100 tons of merchant trade products. Each distributor, whether or not he is required to file this report, must maintain for a period of not less than two years a record of his shipments from stock, receipts into stock, and inventory of each product group on hand at the end of his fiscal year. This record must be available for inspection at any time by authorized representatives of the War Production Board.

(2) Appeals. Any appeal from this order must be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(3) Communications to War Production Board. All appeals or other communications concerning this order should be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington 25, D. C., Reference: M-21-b-2

- (4) Violations. Any distributor or other person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assist-
- (5) Special instructions. The War Production Board may from time to time issue instructions to distributors with respect to making, withholding, accepting or refusing deliveries.

Note: The record keeping and reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 16th day of March 1944. WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

SCHEDULE I-MERCHANT TRADE PRODUCTS

Product group number

Description

20. Standard and line pipe, water well tubu-lar products, and couplings (includes steel and wrought iron pipe)

21 Oil country casing, tubing, and drill pipe,

and couplings.

Tin plate and terne plate (short ternes).

Galvanized, lead coated, or painted sheets and strip (including galvanized flat sheets purchased for the manufacture of roofing and siding), formed roofing and siding (painted, black, galvanized, or lead coated), valley, ridge roll, and flacking.

Wire rope and strand.

Nails (cut and wire), fence and netting staples.

26 Wire, drawn.

27 Wire bale ties.

With the approval of the producer receiving such an order, substitution of black theets (21 gauge and lighter) may be made for galvanized flat sheets of the came gauge. SCHEDULE I-MERCHANT TRADE PRODUCTS-Con.

Product

group

Description-Continued number

Wire (barbed and twisted), and wire 28 fence (woven or welded).

Wire netting.

Fence posts.

Welded wire concrete reinforcing fabric.

[F. R. Doc. 44-3662; Filed, March 16, 1944; 11:16 a. m.]

PART 3301-CORK, ASSESTES AND FIEROUS

[Conservation Order M-282, Revocation]

FIDEOUS GLASS TEXTILES

Section 3301.21 Conservation Order M-282 is hereby revoked, effective April 1, 1944. This revocation does not affect any liabilities incurred under the order.

Beginning April 1, 1944, fibrous glass textiles will be subject to the control of General Scheduling Order M-293, under Table 13 issued simultaneously with this revocation.

Issued this 16th day of March 1944.

WAR PRODUCTION BOARD. By J. Joseph Whelan, Recording Secretary.

[P. R. Doc. 44-3685; Filed, March 16, 1944; 11:16 a. m.]

Chapter XI—Office of Price Administration

PART 1315-RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COLI-PONERT

[Ration Order 1E, Amdt. 6]

MILEAGE RATIONING: THE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 1E is amended in the following respects:

- 1. In section 2.1, the definition of "camelback" is amended by deleting the second sentence.
- 2. In section 2.1, the definition of "Commercial motor vehicle" is amended by inserting the words "or passenger car which is registered as a truck and" immediately following the words "station wagon".
- 3. In section 2.1, the definitions of "Passenger-type Camelback", "Recapping service", and "Truck-type Camelback" are deleted.

4. The definition of "Recapping" in section 2.1 is amended by deleting the phrase, "passenger or truck-type".

5. The definitions of "Certificate" and "Evidence" in section 2.1, and sections 1.2 (c), 3.3 (b) and (c), 4.4 (a) (14), 5.1 (a) and (c), 5.5, 5.6 (c), 5.8, 6.1 (a) and (b), 6.4 (a) and (b), 6.5 (a), (b) and (c), 6.6 (a) and (b), 6.7 (a), (b, (h) and (i), 6.8 (a) and (c), 7.2 (a), and 7.3 (a) and (b) are amended by deleting the phrases

¹8 F.R. 12434, 13920.

^{*}Copies may be obtained from the Office of Price Administration.

"tire, tube or camelback", "tires, tubes or camelback", "tires, tubes, recapping service, or camelback", "tires, tubes, recapping services or camelback" and "tires, tubes or recapping service" whenever they appear and inserting in lieu thereof, in each instance, the phrase "tires or tubes".

6. Sections 4.1 (a) (4), 4.5 (a) (1) (ii), 6.4 (d) (2) (3) and (4), 6.4 (f), 7.3 (a) (3) and 7.4 (c) are hereby deleted.

7. A new section 3.2 (d) is added to read as follows:

- (d) No Board may issue a certificate authorizing the recapping of any tire.
- 8. Section 3.3 (a) is amended by deleting the words "and the maximum amount of recapping services."

9. The last sentence of section 3.3 (d) is deleted.

10. The text of sections 4.1, 4.1 (a), 4.3 and 4.5 (a) is amended by deleting the phrase, "tire, tube, or recapping service" wherever it appears and inserting in lieu thereof, in each instance, the phrase "tire or tube".

11. In section 4.1 (a) (3), the semicolon is changed to a period, and the word "or" following therein is deleted.

12. In section 4.1 (b) the words, "or recap" at the end of the first sentence are hereby deleted.

13. The table in section 4.2 (c) is amended by deleting the words "limited service."

14. The text of section 4.2 (d) preceding subparagraph (1) is amended by deleting the words, "or the type of camelback."

15. The text of section 4.4 (a) is amended by deleting the phrase, "or for recapping service" and the comma preceding it.

16. Section 4.4 (b) is amended to read as follows:

(b) List B. A certificate for a new tube may be granted for a commercial motor vehicle which meets the applicable requirements of sections 4.1 and 4.3 and is used for any important purpose not included in paragraph (a) of this section, subject to the following conditions:

(1). Certificates may be granted under this paragraph (b) only to equip commercial motor vehicles performing functions which the Board may find to be essential to the community and which are not provided for in List A of section 4.4 (a).

(2) No certificate shall be granted under this paragraph (b) if its issuance would exceed the quota applicable to new tubes or if there is pending an application for a new tube for a commercial motor vehicle eligible under section 4.4 (a) which has not been satisfied.

17. Section 5.2 (a) is amended by deleting the phrases, "or for recapping services with truck-type camelback" and "or recapped".

18. Section 5.7 is amended to read as follows:

Sec. 5.7 Action by suppliers. (a) If the applicant is required to turn in a tire or tube, a dealer shall not transfer any

tire or tube pursuant to the certificate until he has acquired physical possession of the tire or tube being replaced.

(b) No dealer shall transfer tires or tubes until both he and the applicant have properly signed and executed the certificate in accordance with the instructions thereon,

(c) When the foregoing requirements have been fulfilled, the dealer to whom the certificate was surrendered shall deliver to the person indicated thereon, or to his agent, the exact number, type, grade and class of tires or tubes authorized by the certificate.

19. Section 6.3 (a) (2) is amended to read as follows:

(2) No dealer may transfer to a consumer a tire that requires recapping or permanent repairs until such recapping or permanent repairs have been made. "Limited Service" tires may be transferred to consumers who hold a basic gasoline ration only, without certificate.

20. In the second sentence of section 6.4 (a), the words "recapping tires or" are deleted.

21. The last sentence of section 6.4 (b) is deleted.

22. In section 6.4 (d) (1), the text preceding subdivision (i), and subdivisions (i), (ii), and (iii), are deleted

23. In sections 6.5 (a) (1) and (2), the phrase "or recapper" is deleted.

24. The first sentence of section 6.5 (b) is amended by deleting the phrase, "or the amount and type (based on the tables in section 6.4 (d)) of camelback" and the comma preceding it.

25. Section 6.7 (g) is amended to read as follows:

(g) Transfers for recapping. A person may, without certificate, transfer a tire to a dealer or recapper to have it recapped and may reacquire the recapped tire.

26. Section 6.9 (a) is amended to read as follows:

(a) No person shall, without lawful authority, abuse, alter, damage or neglect any tire or tube in his possession or control. Failure to have a tire recapped and failure to make timely application for replacements shall constitute forms of abuse within the meaning of this paragraph.

27. In section 7.2 (b), the words "and recappers" are deleted.

This amendment shall become effective March 15, 1944.

(Pub. Law 671, 76th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-Q, 7 F.R. 9121, General Order No. 48, 8 F.R. 2898)

Issued this 15th day of March 1944.

MELVIN C. ROBBINS, Territorial Director, Territory of Hawaii.

Approved:

James P. Davis, Regional Administrator, Region IX.

[F. R. Doc. 44-3632; Flied, March 15, 1944; 4:53 p. m.] PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH

[RMPR 239,1 Incl. Amdt. 1-12]

LAMB AND MUTTON CARCASSES AND WHOLE-

Section 1364.177 (c) (3), (4), (5) and (6) are added by Amendment 12,7 effective March 21, 1944, so that Revised Maximum Price Regulation No. 239 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 issued by the President on October 3, 1942, to establish prices for mutton and to maintain as the maximum prices for lamb carcasses and cuts the general level of prices prevailing with respect thereto during the period July 27, 1942, to July, 31, 1942, inclusive. Prices determined for lamb as provided for in this Revised Maximum Price Regulation reflect the prices prevailing during such period, The Price Administrator has ascertained and given due consideration to the prices of lamb and mutton prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this revised regulation.

In the judgment of the Price Administrator, the maximum prices established by this revised regulation are and will be generally fair and equitable and will effectuate the purposes of said Act and Executive Order. A statement of the considerations involved in the issuance of this revised regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.²

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which lamb and mutton carcasses and cuts are produced a price for their products equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and by the Executive Order of October 3, 1942.

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government Agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing

^{*}Title amended by Amdt. 11.

[†]The text, which is underscored, and the tables in § 1364.177 (c) (4) are added by Am. 12.

¹⁷ F.R. 10688.

²Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

effective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order 63, 8 F.R. 12553, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1,3 issued by the Office of Price Administration, Revised Maximum Price Regulation No. 239 is hereby issued.

SUBPART A-GENERAL PROVISIONS

Sec

1364.151 Prohibition against selling lamb and mutton carcasses, lamb and mutton wholesale cuts and hotel supply cuts (fabricated meat cuts) at prices above the maximum.

1364.152 Less than maximum prices.

1364.153 Exempt sales.

1364.154 Export sales.

1364,155 Adjustable pricing and transporta-tion adjustments.

1364.156 Enforcement.

1364.157 Licensing.

1364.158 Petitions for amendment.

1364.159 Records and reports.

1364.160 Definitions.

SUBPART B-PROVISIONS RELATING TO SALES OF MUTTON AND LAMB AT WHOLESALE

1364.166 Maximum prices for lamb and mutton carcasses, lamb and mutton wholesale cuts, and hotel supply cuts (fabricated meat cuts).

1364.167 Duty to maintain grades and to determine maximum prices and to invoice accordingly.

1364.168 Limitations on volume of sales to purveyors of meals.

1364.168a Limitation on volume of sales to ultimate consumers by hotel supply houses.

1364.169 Maximum price instructions.

1364.170 Amounts which may be added to zone lamb and mutton prices listed in Appendices A to H: §§ 1364.176 to 1364.183.

1364.171 Amounts which must be deducted from the zone lamb and mutton prices listed in Appendices A to H: §§ 1364.176 to 1364.183.

1364.172 Evasion.

1364.173 Revoked. 1364.174 Definitions.

1364.175 Effective date.

1364.176 Appendix A: Zone 1 and applicable zone wholesale prices.

1364.177 Appendix B: Zones 2, 3, 4, and applicable zone wholesale prices.

1364.178 Appendix C: Zone 5 and applicable zone wholesale prices.

1364.179 Appendix D: Zone 6 and applicable zone wholesale prices.

1364.180 Appendix E: Zone 7 and applicable zone wholesale prices.

1364.181 Appendix F: Zone 8 and applicable zone wholesale prices.

1364.182 Appendix G: Zone 9 and applicable zone wholesale prices.

1364.183 Appendix H: Zone 10 and applicable zone wholesale prices.

1364.184 Appendix I: Formula for meat marking fluid.

1364.185 Appendix J: Specifications for official United States standards for grades of lamb carcasses, yearling mutton, and mutton carcasses.

AUTHORITY: §§ 1364.151 to 1364.185, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681. SUPPART A-GENERAL PROVISIONS

§ 1364.151 Prohibition against selling lamb and mutton carcasses, lamb and mutton wholesale cuts and hotel supply cuts (fabricated meat cuts) at prices above the maximum. On and after December 23, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any lamb or mutton carcass, lamb or mutton wholesale cut, or hotel supply cut (fabricated meat cut), and no person in the course of trade or business shall buy or receive any lamb or mutton carcass, lamb or mutton wholesale cut, or hotel supply cut (fabricated meat cut) at prices higher than the maximum prices established pursuant to this Revised Maximum Price Regulation No. 239, and no person shall agree, offer, solicit, or attempt to do any of the foregoing: Provided, That on and after June 14, 1943, a war procurement agency, in addition to paying to the seller the maximum price for the commodity prescribed by the applicable provision of this regulation, may pay to Defense Supplies Corporation an amount equivalent to the meat production payments made by the Defense Supplies Corporation on account of the production of such meat.

[§ 1364.151 amended by Am. 4, 8 F. R. 7679. effective (1) as to sales or deliveries of all products, other than pickled mutton, by other than wholecalers, hotel supply houses and peddler truck sellers, on June 14, 1943; (2) as to sales or deliveries of all products other than pickled mutton, by wholecalers, hotel supply houses and peddler trucks sellers, on June 19, 1943; (3) as to sales or deliveries of pickled mutton by other than wholesalers, hotel supply houses and peddler truck sellers, on June 28, 1843; and (4) as to sales or deliveries of pickled mutton, by wholesalers, hotel supply houses and peddler truck sellers, on July 5, 1943. (Effective date provisions as amended by Am. 5, 8 F. R. 8677, effective 6-14-43). Amended by Am. 11, 9 F.R. 2651, effective 3-1-44.

§ 1364.152 Less than maximum prices. Lower prices than those established in this Revised Maximum Price Regulation No. 239 may be charged, demanded, paid, or offered.

§ 1364.153 Exempt sales. The provisions of this Revised Maximum Price Regulation No. 239 shall not apply to sales at retail as defined in § 1364.160 (a) (3) of this regulation or the following sales or deliveries:

[Above sentence as amended by Am. 11, 9 F.R. 2651, effective 3-1-44]

(a) By a farmer of lamb or mutton from livestock bred or raised on his farm. However, this Revised Maximum Price Regulation shall apply to a sale or delivery by a farmers' cooperative and to a sale or delivery directly by a farmer of lamb or mutton if during the preceding calendar month the farmer's sales of all food products produced on his farm exceeded \$75.

(b) By hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments, of meals or servings of food portions, customarily served separately or as part of a meal.

[Paragraph (b) as amended by Am. 3, 8 F.R. 4786, effective 4-14-43]

(c) Deliveries made to any political subdivision or agency of any state or of the United States under contracts entered into prior to December 23, 1942: Provided, That this exemption shall not be construed to permit the upward revision of any prices fixed in such contracts.

(d) Sales in which delivery is made outside of the forty-eight states of the United States and the District of Co-

lumbia.

§ 1364.154 Export sales. The maximum price at which a person may export any lamb and mutten carcass or lamb and mutton wholesale cut shall be determined in accordance with the provisions of the Revised Export Price Regulation issued by the Office of Price Administration.

[§ 1364.154 as amended by Am. 11, 9 F.R. 2651, effective 3-1-441

§ 1364.155 Adjustable pricing and transportation adjustments—(a) Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

(b) Adjustment for transportation to critical areas. Upon a finding that a critical shortage of meat has occurred in a specific area because of the unavailability of customary sources of supply and because the established maximum prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply, the Administrator may by order designate such area as a critical area for such period as he may prescribe. Subject to such conditions as may be prescribed in the order of the Administrator, the Regional Administrator for the area, or any District Manager designated by him, may in writing authorize named sellers to charge and receive for lamb and mutton carcasses and wholesale and hotel supply cuts sold to buyers in that area the added cost of transportation in addition to the applicable maximum price.

[§ 1364.155 amended by Am. 2, 8 F.R. 4786. effective 4-10-43, and Am. 7, 8 F.R. 10444. effective 7-29-43]

²7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

^{&#}x27;2d revision; 8 F.R. 4132, 5937, 7662, 9933, 15193.

§ 1364.156 Enforcement. (a) Persons violating any provision of this Revised Maximum Price Regulation No. 239 are subject to the criminal penalties, civil enforcement actions, proceedings for suspension of licenses, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 239 or any price schedule, regulation, or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1364.157 Licensing. The provisions of Licensing Order No. 1,⁵ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1364.157 as amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1364.158 Petitions for amendment. Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 239 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

[Note: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1364.159 Records and reports. The reporting and recording provisions of this regulation are approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(a) Every person subject to this revised regulation shall, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in §§ 1364.165 and 1364.173 of this revised regulation as the Office of Price Administration may from time to time require.

[§ 1364.159 as amended by Am. 3, 8 F.R. 4786, effective 4-14-43]

(b) (1) Every separate selling establishment making sales to purveyors of meals pursuant to the provisions of paragraph (c) of §§ 1364.176 through 1364.183, inclusive, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect customary records including a complete and accurate record of each such sale and/or delivery showing the

date of sale, the name and address of the buyer, the weight and grade of each hotel supply cut (fabricated meat cut) sold to a purveyor of meals, the price charged and the total cost thereof. All sales of kosher meats are to be shown separately.

(2) On or before March 28, 1944, each separate selling establishment making sales to purveyors of meals pursuant to the provisions of paragraph (c) of §§ 1364.176 through 1364.183, inclusive, shall file a statement in duplicate with the appropriate Regional Office of the Office of Price Administration showing:

(i) The total volume by weight of all meats, (fresh, frozen, cured and/or corned, cooked, dried, canned or otherwise processed, including sausage and similar products thereof) and variety meats and edible byproducts (defined in § 1364.174 (a) (13) hereof) sold and/or delivered by such establishment from September 15, 1942, through December 15, 1942, other than to war procurement agencies;

(ii) The total volume by weight of all/meats (fresh, frozen, cured and/or corned, cooked, dried, canned or otherwise processed, including sausage, and similar products thereof) and variety meats and edible by-products (defined in § 1364.174 (a) (13) hereof) sold and/or delivered from September 15, 1942, through December 15, 1942, to purveyors of meals other than to war procurement agencies;

(iii) The total volume by weight of all beef, veal, lamb and mutton, not including canned meats, variety meats and edible by-products (defined in § 1364.174 (a) (13) hereof), sausage and similar products thereof, sold and/or delivered from September 15, 1942, through December 15, 1942, to purveyors of meals other than to war procurement agencies.

(3) Not later than the tenth day following each three months quota period ending August 31, November 30, February 28 or 29, or May 31, each separate selling establishment making sales to purveyors of meals pursuant to the provisions of paragraph (c) of §§ 1364.176 through 1364.183, inclusive, shall file with the appropriate Regional Office of the Office of Price Administration, a statement showing for such three months quota period, the total volume by weight of fabricated meat cuts sold or delivered by such selling establishment to purveyors of meals, other than the War Shipping Administration and/or contract schools.

(4) Not later than the tenth day following each three months quota period ending August 31, November 30, February 28 or 29, or May 31, each hotel supply house making sales and/or deliveries to purveyors of meals pursuant to paragraph (c) of §§ 1364.176 to 1364.183 in addition to sales of retail meat cuts and/or variety meats and edible by-products and/or processed meat products to ultimate consumers, pursuant to § 1364.-168a, shall file with the appropriate Regional Office of the Office of Price Administration a statement showing for such three months quota period (i) the total volume by weight of all meats (fab-

ricated, fresh, frozen, cured and/or corned, cooked, dried, canned or other-wise processed, including sausage and similar products thereof) and/or variety meats and edible by-products sold by such establishment other than to contract schools and/or the War Shipping Administration; (ii) the total volume by weight of all retail meat cuts and/or variety meats and edible by-products and or processed meat products sold by such establishment to ultimate consumers: Provided, however, That no such report need be filed under this paragraph (b) if the similar report required by § 1364.-407 (e) of Revised Maximum Price Regulation No. 169 ° (Beef and Veal Carcasses and Wholesale Cuts) is filed in lieu thereof.

[Paragraph (b) added by Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.160 *Definitions*. (a) When used in this Revised Maximum Price Regulation No. 239, the terms

(1) "Person" includes any individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency therof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing: Provided, That no punishment provided by this revised regulation shall apply to the United States or to any such government, political subdivision, or agency.

agency.

(2) "Seller" means any person who sells, supplies, disposes, barters, exchanges, transfers, or delivers, or contracts or offers to do any of the foregoing, including but not limited to a car route or packer's branch house. Where a person makes sales from more than one place of business, each separate place of business of such person shall be deemed to be a separate seller. Each distribution point from which a car route or car routes originate shall be deemed a separate seller.

(3) "Sales at retail" means sales to the ultimate consumer: Provided, That no wholesaler, processor, packer, slaughterer, branch house, hotel supply house, purchaser for resale, car route, commercial user, purveyor of meals, or government agency shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals on usual retail terms by a retailer at least 80% of whose sales of meat during the preceding calendar month were made to ultimate consumers shall be deemed a sale at retail.

(4) "Retailer" means a seller regularly and generally engaged in making sales at retail.

.(5) "Hotel supply-house" means a separate selling-establishment which is not physically attached to a packing or slaughtering plant, packer's branch house, wholesaler's or other selling establishment; which is engaged in the fabrication of meat cuts and the sale of fabricated meat cuts to purveyors of meals, including the sale of lamb and mutton carcasses and/or wholesale cuts, variety meats and edible by-products,

⁵8 F.R. 13240.

⁹ F.R. 1121, 2023, 2135.

and sausage to purveyors of meals, and in the sale of retail meat cuts, variety meats and edible by-products, and/or processed meat products to ultimate consumers pursuant to the provisions of \$ 1364.168a of this regulation; and which during the period of September 15, 1942, through December 15, 1942, sold and/or delivered to purveyors of meals, other than war procurement agencies, not less than 70 percent of the total volume by weight of all meats, variety meats and edible by-products, and/or sausage and similar products thereof, sold by it.

[Subparagraph (5) amended by Am. 1, 8 F.R. 3589, effective 3-27-43; Am. 7, 8 F.R. 10444, effective 7-29-43; Am. 8, 8 F.R. 11082, effective 8-7-43 and Am. 11, 9 F.R. 2651, effective 3-1-44]

- (6) "Kosher dealer" means a person who maintains a kosher selling establishment at or through which he regularly sells kosher meat as such.
- (7) "Lamb" means the whole or any portion of the carcass of the young animal of the genus Ovis, approximately a year old or less, as ascertained by the objective tests commonly recognized in the meat packing industry and specifically by the "break joint" and by bone and flesh coloration. For the purposes of this revised regulation, the term "lamb" includes, except as otherwise provided, the whole or any portion of a yearling carcass which is a carcass from an animal of the ovine species that has passed the lamb age and lost to an appreciable extent the flesh characteristics which are peculiar to lamb, but has not reached, at time of slaughter, that state of maturity which characterizes mutton and which is in no event older than 24 months.
- (8) "Mutton" means the whole or any portion of the carcass from a mature animal of the genus Ovis, approximately 20 to 24 months old or more, which has passed the lamb stage as ascertained by the objective tests commonly recognized in the meat packing industry and specifically by the "break joint" and by bone and flesh coloration.

[Former subparagraph (9) amended by Am. 1, 8 F.R. 3589, effective 3-27-43; revoked by Am. 11, 9 F.R. 2651, effective 3-1-44. Former (10) and (11) redesignated (9) and (10) by Am. 11]

- (9) "Kosher cuts" mean cuts derived from lamb or sheep slaughtered, approved and stamped under rabbinical supervision and sold under rabbinical supervision.
 - (10) "Purveyor of meals" means:
- (i) Any restaurant, hotel, cafe, cafeteria or establishment which purchases meats and where meals, food portions or refreshments are served for a consideration;
- (ii) The War Shipping Administration of the United States;
- (iii) Any person operating an ocean going vessel engaged in the transportation of cargo or passengers in foreign, coastwise or inter-coastal trade, to the extent that meat is delivered to him as ship's stores for consumption aboard such vessel;

(iv) Any hospital, asylum, orphanage, prison or other similar institution, which is operated by any federal, state, or local government agency thereof.

(v) "Contract school" means and includes any person who is feeding, pursuant to a written contract with an agency of the United States, personnel of the armed services of the United States, fed under the command of a commissioned or non-commissioned officer or other authorized representative of the armed services of the United States.

[Subparagraph (11) added by Am. 7, 8 F.R. 10444, effective 7-29-43; (v) added by Am. 8, 8 F.R. 11082, effective 8-7-43]

[Former subpart B (§ 1364.161 through § 1364.165) revoked by Am. 11, 9 FR. 2631, effective 3-1-44. Former Subpart C redesignated as B and title amended by Am. 11]

SUEPART B—PROVISIONS RELATING TO SALES
OF LIUTTON AND LAMB AT WHOLESALE

§ 1364.166 Maximum prices for lamb and mutton carcasses, lamb and mutton wholesale cuts, and hotel supply cuts (fabricated meat cuts). Subject to the maximum price instructions contained in § 1364.169, the seller's maximum prices for each grade of each lamb and mutton carcass and wholesale cut and/or hotel supply cut (fabricated meat cut) shall be the applicable zone price established for the applicable zone, as set forth in Appendix A hereof, inclusive, incorporated herein as §§ 1364.176 to 1364.183, plus the permitted additions, if any, specified in § 1364.170, minus the required deductions, if any, specified in § 1364.171. The applicable zone is to be determined in accordance with the provisions of paragraph (b) of § 1364.169.

[§ 1364.166 as amended by Am. 11, 9 F.B. 2651, effective 3-1-44]

§ 1364.167 Duty to maintain grades and to determine maximum prices and to invoice accordingly. No person shall sell, offer to sell, ship, deliver or break and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or wholesale cut unless it has been graded in accordance with the provisions of this section; and no person shall-sell, offer for sale, or deliver and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or wholesale cut at a price higher than that established for the grade in which such carcass or wholesale cut has been classified.

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, it shall be the duty of each person to have all lambs, including yearlings, and all sheep slaughtered by or for him, or sold by him, classified by an official grader of the United States Department of Agriculture in accordance with the "Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, etc.", as modified to the extent set forth in Appendix B of § 1364.527 of Revised Maximum Price Regulation No. 169, and as required by § 4002.3 of OES Regulation 1. Each

carcass and each wholesale cut derived therefrom shall be classified into one of the grades set out below.

Lamb: Choice or better or AA Good or A Commercial or B Utility or C Cull or C Yearling: Choice or better or A Good or B Commercial or C Utility or C Cull or C Mutton: Choice or better or S Good or S Commercial or M Utility or R. Cull or E

The "Specifications for Official U. S. Standards for Grades of Lamb Carcasses, Yearling Mutton Carcasses" set forth in Appendix J hereof, and incorporated herein as §1364.185, determine the proper classifications of each carcass, except that no mutton buck may be graded higher than commercial.

(b) In any instance where any person is unable to procure the services of an official grader within 24 hours after he has made an application for grading, pursuant to section 3 of Regulation No. 4 (Grading Service) incorporated by reference, as modified, in paragraph (a) hereof, such person shall not be required to have the lamb or sheep slaughtered by, or for him, or sold by him, graded by an official grader of the U.S. Dept. of Agriculture for so long a period as the U.S. Dept. of Agriculture certifies in writing that it is unable to provide him with the services of an official grader. During such period, such lamb or mutton car-casses shall be graded by such person in accordance with the requirements of paragraph (a) of this section.

(c) If the slaughterer is a farm slaughterer or if he is primarily the resident operator of a farm engaging only casually, and not as a business, in slaughtering sheep or lamb as a service for others, he shall not be required to have the lamb or sheep slaughtered by him graded by an official grader of the U. S. Dept. of Agriculture. Such lamb or mutton as is sold by such slaughterer, or is slaughtered by him as a service for sale by others, shall be graded by him in accordance with the requirements of paragraph (a) of this section.

(d) Whenever any person having a financial interest in any lamb or mutton carcass which has been graded by an official grader pursuant to paragraph (a) hereof or otherwise, is dissatisfied with the determination of such official grader, such person may appeal the grading by making an application for appeal in the manner provided in Reg. No. 5 (Appeal grading) incorporated by reference, as modified, in paragraph (a) hereof, and shall thereafter give immediate notice in writing to the Office of Price Administration at Washington, D. C., of such appeal.

(e) Each invoice, sales slip or other memorandum of sale covering sales of lamb or mutton carcasses, wholesale cuts

^{*8} F.R. 10989.

or hotel supply cuts, shall show the grade and age classification of each lamb or mutton carcass or cut sold.

[§ 1364.167 amended by Am. 1, 8 F.R. 3589, effective 3-27-43, Am. 3, 8 F.R. 4786, 5407, effective 4-14-43, Am. 9, 8 F.R. 11296, effective 7-16-43, and Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.168 Limitations on volume of sales to purveyors of meals. (a) Notwithstanding the terms of any contract, agreement or other obligation, no hotel supply house, packing or slaughtering plant, packer's branch house, wholesaler's or other seller's establishment shall sell and/or deliver to purveyors of meals other than the War Shipping Administration and/or contract schools, during any three months quota period beginning June 1, September 1, December 1 or March 1, a total volume by weight of hotel supply cuts (fabricated meat cuts) in excess of 90 percent of the total volume by weight of beef, veal, lamb and mutton, not including canned meats of any kind, variety meats and edible byproducts of any kind, and/or sausage and similar products thereof, sold or delivered by such selling establishment from September 15, 1942, through December 15, 1942, to purveyors of meals other than to war procurement agencies. except that any selling establishment which was not engaged in sales of beef, veal, lamb and mutton to purveyors of meals from September 15, 1942, through December 15, 1942, for the reason that the selling unit and all facilities thereof, were under the control of an agency of the United States Government, may determine its quota by reference to the three months quota period of 1942 immediately prior to such assumption of control: Provided, however, That any selling establishment may file an application in duplicate with the appropriate Regional Office of the Office of Price Administration or such other offices as may be authorized by the appropriate Regional Office, and request authorization to sell and/or deliver fabricated meat cuts to purveyors of meals. Such selling establishment shall allege and prove that the granting of such authorization will alleviate a critical shortage in supplies of such meat items available in the market area for purveyors of meals, which shortage has occurred because of (1) the issuance of a judicial or administrative suspension order against any person in . the market area prohibiting the sale and/or delivery by any person of any meat item subject to a quota restriction under the provisions of this regulation, or (2) the voluntary or involuntary cessation or suspension of business by a person, lawfully authorized to make sales pursuant to paragraph (c) of §§ 1364.176 through 1364.183.

Upon proof of the foregoing, the Regional Administrator for the area or such office as may be designated by the Regional Administrator, may by order, authorize a quota for such period and subject to such terms and conditions as are deemed necessary, not in excess, however, of such portion of ascertainable quota or quotas which remain unused in the market area and which cause the critical shortage. Following the issu-

ance to any selling establishment of such authorization the Regional Administrator for the area shall forward a copy of the application together with a copy of the authorization and such other data as were used in the determination to the Administrator at Washington, D. C., for review. After review, the Regional Administrator shall change, modify or revoke the order in such manner as the Administrator deems appropriate. However, the provisions of the Regional Administrator's order or the order of such office as may be authorized by the Regional Administrator, shall remain in full force and effect until such time as it is changed, modified or revoked.

(b) The appropriate Regional Office of the Office of Price Administration may by order, adjust the quota established by any selling establishment pursuant to paragraph (a) of this § 1364.168 in any case where it is shown that the quota so established is below an amount which represents normal seasonal demand during any three months quota period and is substantially below the quota which such selling establishment would have arrived at if determined by reference to the corresponding three months quota period of 1942. Upon proof of the foregoing, the Regional Administrator for the area may authorize such separate selling establishment by order, subject to such conditions as may be deemed appropriate, to sell or deliver a specified volume by weight of fabricated meat cuts to purveyors of meals during such three months quota period for which adjustment is sought: Provided, That the adjusted quota shall not be in excess of a quota determined pursuant to paragraph (a) of this § 1364.168 through application of sales made during the corresponding three months quota period of 1942.

(c) Any person who violates any provision of this section may, in addition to any other penalty provided by law, be prohibited by administrative suspension order from receiving, selling, using or otherwise disposing of any fabricated meat cuts. Such suspension order shall be issued for such period as in the judgment of the Administrator or such person as he may designate for that purpose, is necessary and appropriate in the public interest or to promote the national security.

(d) This § 1364.168 and § 1364.168a are issued under the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 3, 1942; Directive No. 1 and Supplementary Directive No. 1-M of the War Production Board, issued on January 24, 1942, and September 12, 1942, respectively; Executive Order No. 9280, issued by the President on December 5, 1942; and Food Directives Nos. 1, 3, 5, 6 and 7 issued by the Secretary of Agriculture.

[§ 1364.168 amended by Am. 7, 8 F.R. 10444; effective 7-29-43, Am. 8, 8 F.R 11082, effective 8-7-43, and Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.168a Limitation on volume of sales to ultimate consumers by hotel supply houses. (a) Any hotel supply house may sell and/or deliver to ultimate consumers during any three months quota

period beginning June 1, September 1, December 1 or March 1, a volume by weight of retail meat cuts and/or variety meats and edible by-products and/or processed meat products which are described and for which maximum prices are established in Maximum Price Reg-ulation No. 355,8 "Retail Ceiling Prices for Beef, Veal, Lamb and Mutton and All Variety Meats and Edible By-Products"; Maximum Price Regulation No. 336, "Retail Ceiling Prices for Pork Cuts and Processed Meat Products," and Maximum Price Regulation No. 394,19 "Retail Ceiling Prices for Kosher Beef, Veal, Lamb and Mutton Guts," not in excess of 20 percent of the actual sales or deliveries made by it pursuant to paragraph (a) of § 1364.168 during the same three months quota period. Such sales at retail must be made at prices not higher than those established for class 3 and 4 stores: Provided, That no hotel supply house shall make sales to ultimate consumers pursuant to this paragraph (a) until (1) such hotel supply house shall have filed with the appropriate Regional Office of the Office of Price Administration a statement in affidavit form showing that from September 15, 1942, through December 15, 1942, such establishment regularly and generally made sales of retail meat items to ultimate consumers from the same selling establishment in conjunction with its sales to purveyors of meals and (2) such hotel supply house has received written authorization from the appropriate Regional Office, approving such affidavit and authorizing the sale and/or delivery of fabricated meat cuts to purveyors of meals at maximum prices specified in paragraph (c) (1) (i) of §§ 1364,176 through 1364.183, inclusive, in addition to the sale to ultimate consumers of retail meat cuts and/or variety meats and edible by-products and/or processed meat products which are described and for which maximum prices are established by Maximum Price Regulations Nos. 355, 336 and 394 for class 3 and 4 stores. Nothing contained in this paragraph (a) shall be construed so as to permit the sales and/or deliverles of fabricated lamb cuts and/or fabricated mutton cuts to purchasers other than purveyors of meals.

(b) Any hotel supply house whose sales or deliveries to ultimate consumers, during any three months quota period, exceed 20 percent of the actual sales or deliveries made by it pursuant to paragraph (a) of § 1364.168 during the same three months quota period, shall thereafter be required to use the maximum prices specified in paragraph (c) (1) (ii) of §§ 1364.176 through 1364.183, inclusive, on sales of fabricated lamb cuts and/or fabricated mutton cuts to purveyors of meals.

[§ 1364.168a added by Am. 11, 9 F.R. 2651, effective 3-1-44]

^{*8} FR. 4423, 4922, 6214, 6428, 7109, 7627, 8185, 8945, 9366, 11297, 12237, 12811, 14738; 9 FR. 1157.

⁸ F.R. 2859, 4253, 5317, 5634, 6212, 7682, 8944, 9366, 12480, 13181, 15670; 9 F.R. 167, 2212, ¹⁹8 F.R. 6364, 6548, 6618, 7200, 7692, 11297, 12621, 15609.

§ 1364.169 Maximum price instructions. The following maximum price instructions are applicable to the maximum prices set forth in §§ 1364.176 to 1364.183, inclusive, (Appendices A to H inclusive).

(a) Determination of prices for sales involving fractions of a hundredweight. All prices, charges, additions and deductions are stated, except where otherwise indicated, on a per hundredweight basis. If a quantity smaller than a hundred pounds or not a multiple of one hundred pounds is sold, the charge must be adjusted accordingly. (For example, the seller is allowed to charge cost up to \$0.50 per hundredweight for freezing. If only ten pounds is sold the maximum charge which may be made for freezing is \$0.05; if 110 pounds, \$0.55.)

(b) Determination of applicable zone prices. The applicable zone prices for all sales of lamb and mutton shall be

determined as follows:

- (1) Except on sales to a war procurement agency, the applicable zone price shall be the price specified in §§ 1364.176 to 1364.183 (Appendices A to H) for the zone in which is located the seller's distribution point. The schedule for each price zone contains a statement setting forth the states or counties in each state which are included within the price zone covered by that schedule. The distribution point is the packing or slaughtering plant, branch house, hotel supply house, warehouse, or car route unloading point:
- (i) At which the buyer takes actual physical possession of the meat; or

(ii) From which delivery by the seller, otherwise than by rail, to the buyer's

place of business begins; or

- (iii) From which the meat, consigned to the buyer, (a) is delivered to a common carrier, other than a railroad, for shipment to the buyer, who pays the shipping charges directly to the carrier, or (b) is delivered to a railroad for shipment at the carload rate to the buyer who pays the shipping charges directly to the carrier.
- (iv) In the case of a less than carload rail shipment, other than an express shipment to a purveyor of meals, the applicable zone price shall be the price for the zone in which is located the rail terminal point nearest to the buyer's place of business.
- (v) On sales to purveyors of meals the distribution point may be, in addition to those listed, the point at which lamb or mutton consigned to the buyer is delivered to a railway express company for shipment by express to the buyer who pays the shipping charges directly to the carrier.
- (2) On sales to a war procurement agency the applicable zone price shall be at the option of the buyer the prices specified in §§ 1364.176 to 1364.183 (Appendices A to H) for, either

(i) The zone in which is located the seller's distribution point, plus all transportation charges to the point of deliv-

ery, or

(ii) The zone in which is located the point at which the buyer takes delivery.

(c) Applicable zone price of miscuts. (1) For any lamb or mutton wholesale cut which has been miscut or for any piece or portion of lamb or mutton which has been cut in a manner not authorized by this Revised Maximum Price Regulation No. 239, the applicable zone price, except on sales to a purveyor of meals by a hotel supply house, shall be the applicable zone price of the lowest priced wholesale cut. The zone price for a bracelet or chuck as defined in § 1364.174, except for a kosher bracelet or chuck when sold or offered for sale to a kosher dealer or purveyor of kosher meals, shall be the applicable zone price of the lowest priced wholesale cut.

(2) For any lamb or mutton sold to a purveyor of meals by a hotel supply house, other than a wholesale cut or a hotel supply cut as defined in § 1364.174, the zone price shall be the applicable zone price of the lowest price hotel sup-

ply cut.

(d) Sales of kosher meat limited to kosher dealers and purreyors of meals.

(1) Lamb or mutton carcasses of wholesale cuts shall not be sold, offered for sale, or delivered as kosher and shall not be purchased or received in the course of trade or business as kosher by any purchaser other than a kosher dealer or a purveyor of kosher meals.

(2) If meat derived from lamb or sheep slaughtered and stamped under rabbinical supervision is sold or delivered to a purchaser other than a kosher dealer or a purveyor of kosher meals, no more can be charged or received for it than if such meat had not been derived from animals so slaughtered and stamped, and the stamp showing the meat to have been so derived must be removed from the meat prior to delivery, and such meat may not be received, offered for resale, or resold until such stamp has been removed.

[§ 1364.169 amended by Am. 1, 8 F.R. 3559, effective 3-27-43 and Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.170 Amount which may be added to applicable zone prices for lamb and mutton listed in Appendices A to H-(a) Wholesaler's selling addition. On sales of any lamb and/or mutton carcasses and cuts and/or any other meat item subject to this regulation, excluding therefrom sales made pursuant to paragraph (c) of §§ 1364.176 through 1364.183, a person who at the time of the sale is a wholesaler may add 75 cents per hundredweight to the applicable zone price: Provided, however, That no person shall charge the addition permitted by this § 1364.170 (a) unless such person shall have filed with the appropriate Regional Office of the Office of Price Administration a certified statement that the person (1) is engaged in the business of buying lamb and mutton carcasses and/or lamb and mutton wholesale cuts for resale other than at retail; (2) does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and is not owned or controlled in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities; and (3) is not a hotel supply house or peddler truck seller within the meaning of this Revised Maximum Price Regulation No. 239. The filing of such a statement shall not preclude investigation by the Office of Price Administration of the facts relating to the nature of the business carried on by the person filing the statement, or any action or preceeding arising from such investigation.

[Paragraph (a) amended by Am. 1, 8 F.R. 3583, effective 3-27-43; Am. 4, 8 F.R. 7679; Am. 8, 8 F.R. 11032, effective 8-7-43; and Am. 11, 9 F.R. 2651, effective 3-1-44. For effective dates of A=. 4, see note following \$ 1054.1511

(b) Wrapping and dressing. (1) For wrapping lamb or mutton carcasses or wholesale cuts in one stockinette there may be added \$0.10 per cwt.

[Subparagraph (1) as amended by Am. 3, 8 P.R. 4785, effective 4-14-43]

(2) For wrapping lamb or mutton carcasses or wholesale cuts in (i) an inner covering of 45-lb. or heavier natural kraft, crinkled paper, waxed, or a stockinette of a construction of yarn, 8/1; number of plies, 1; wales per inch 15; courses per inch, 14; and (ii) in an outer covering of unsized muslin, 40 inch, 48 to 44 construction, 3% yards to pound weight, securely sewed, as stipulated by Army or Navy specifications for export shipment, there may be added actual cost for direct material and labor not to exceed \$1.00 per hudredweight.

[Subparagraph (2) amended by Am. 3, 8 F.R. 4786, effective 4-14-43, and Am. 7, 8 F.R. 19444, effective 7-19-43]

(3) For dressing or wrapping lamb or mutton carcasses in two stockinettes, or in kraft paper or in other special wrapping not covered elsewhere in this regulation, involving an additional cost in excess of ten cents on sales to the war procurement agencies, or to persons operating ocean going vessels engaged in the transportation of cargo and passengers, as ship stores for consumption aboard such vessel, there may be added actual cost for direct material and labor not to exceed \$0.25 per hundredweight.

[Subparagraph (3) added by Am. 7, 8 FR. 10444, effective 2-19-43]

(c) Packaging and boxing. (1) For boxing boneless lamb and boneless mutton for domestic shipment in hundred pound wood, fiber or corrugated boxes or barrels, \$0.25 per cwt.

(2) For boxing for export shipment in kraft-paper-lined, weather-proof, telescoped style, solid fiber boxes bound with wire or iron bands in accordance with

the specifications of the Federal Surplus Commodities Corporation, \$0.50 per hundredweight.

[Subparagraph (2) as amended by Am. 10, 8 FR. 13117, effective 9-30-43]

(3) For packing lamb or mutton wholesale cuts in closed or sealed hoxes or barrels delivered to the buyer's place of business and to be retained by the buyer on sales to a seller at retail, purveyor of meals, commercial user (not wholesaler, branch house or hotel supply

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house), or government agency other than a war procurement agency, there may be added \$0.25 per cwt.: Provided, That this charge for packaging or boxing may not be made in addition to the charge for wrapping permitted by paragraphs (b) (1) and (b) (2) of this section.

[Subparagraph (3) amended by Am. 3, 8 F.R. 4786, effective 4-14-43, and Am. 11, 9 F.R. 2651, effective 3-1-44]

(d) Freezing. (1) For freezing and storage by the seller, cost at published commercial rate for nearest commercial freezer not to exceed \$0.50 per cwt.

(2) For freezing and storage by commercial freezer, cost at commercial rate for such freezing, plus transportation charges calculated at the lowest common carrier rate for a similar haul—both not

to exceed \$0.50 per cwt.

(3) If the seller is a wholesaler or hotel supply house who has paid a charge for freezing and storage under subparagraphs (1) and (2), he may upon the resale of the meat upon which the charge has been made add the amount of such charge if the meat is still in its frozen form

[Paragraph (d) as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

(e) Telescoped lamb and mutton. For all supplies and all operations, other than freezing, performed in trimming, preparing and wrapping telescoped style lamb and mutton, the following additions per hundredweight of the finished weight may be added to the applicable maximum prices for round-dressed carcass, pluck out, and for hindsaddle and foresaddle, respectively:

		Addition dredw	per hun- eight
Grade	Carcass	Hind- saddle	Fore- saddle
AA Lamb A Lamb B Lamb C Lamb S Mutton M Mutton R Mutton	\$0.80 .80 .80 .80 .75 .70	\$0.95 .95 .95 .95 1.25 1.10	\$0.45 .45 .45 .45 .30 .30

[Paragraph (e) amended by Am. 1, 8 F.R. 3589, effective 3-27-43; Am: 4, 8 F.R. 7679; Am. 7, 8 F.R. 10444, effective 7-29-43; and Am. 10, 8 F.R. 13117, effective 9-30-43. For effective dates of Am. 4, see note following § 1364.151]

(f) Lamb or mutton kidneys. (1) For removing the outer protective membrane and cleaning of all particles and preparing lamb and mutton kidneys, \$6.00 per cwt.

[Subparagraph (1) as amended by Am. 4, 8 F.R. 7679]

(2) For packing lamb and mutton kidneys in one pound cartons and in shipping containers, \$3.25 per cwt.

(g) Pickled mutton. For preparing pickled mutton and packaging in hardwood barrels the following addition based upon the finished weight may be added to the applicable maximum prices for

round-dressed carcasses, plucks out, or cuts, \$3.25 per cwt.

[Paragraph (g) amended by Am. 1, 8 F.R. 3589, effective 3-27-43 and Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(h) Melts. For removing the melts on sales to war procurement agencies:

Lamb or mutton carcasses______\$0.07
Lamb or mutton hindsaddles______\$15

[Paragraph (h) added by Am. 8, 8 F.R. 11082, effective 8-7-43 and amended by Am. 10, 8 F.R. 13117, effective 9-30-43. Former (h) and (i) redesignated (i) and (j) by Am. 8]

(i) Transportation and delivery. Subject to the limitations in paragraph (i) (4) of this section the following may be added to the applicable zone prices for transporting lamb or mutton from the point of slaughter to the distribution point and for delivering from the distribution point to the buyer's place of business.

(1) For transportation from the point at which the meat was slaughtered to the seller's distribution point. (i) If the distribution point from which the sale is made is not the slaughter plant where the meat was slaughtered or a slaughter or packing plant controlled by the slaughterer, and if both it and the point of slaughter are located in Price Zones 2, 3 or 4, the seller may make a charge equal to the cost of transporting the meat from the point of slaughter to the distribution point but not to exceed 75 cents per hundredweight.

[Subparagraph (i) amended by Am. 10, 8 F.R. 13117, effective 9-30-43]

(ii) If the distribution point from which the sale is made is not the slaughter plant where the meat was slaughtered or a slaughter or packing plant controlled by the slaughterer, and if the distribution point is located in Price Zones 1 or 5 to 10, inclusive, and the point of slaughter is located in the same price zone as the distribution point, the seller may make a charge equal to the cost of transporting the meat from the point of slaughter to the distribution point but not to exceed, \$0.25 per cwt.

(2) For delivery from the distribution point to the buyer's place of business.
(i) If meat is delivered by the seller to the place of business of a retailer, independent wholesaler, independent hotel supply house, purveyor of meals, or commercial user, or to the designated delivery point of a war procurement agency or other government agency, located within a radius of 25 miles from the distribution point the seller may charge, \$0.25 per cwt.

[Subparagraph (i) as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

(ii) If meat is delivered by the seller to the place of business of a retailer, independent wholesaler, independent hotel supply house or commercial user, or to the designated delivery point of a war procurement agency or other government agency located more than 25 miles from the point of distribution, the seller may add the actual cost of transporta-

tion but not to exceed \$0.50 per cwt. from a distribution point in Price Zones 1, 5 to 10, inclusive, and \$0.75 from a distribution point in Price Zones 2, 3, or 4.

(iii) Where the distribution point and the buyer's place of business coincide as in the case of truck routes the seller may, at his option, treat the point of origin of the truck route as the distribu-

tion point.

(3) For delivery by a wholesaler, hotel supply house or other intermediate distributor. If the seller is a wholesaler or hotel supply house who has paid a charge under paragraph (i) of this section for delivery and/or transportation, he may upon the resale of the meat upon which the charge has been made add the amount of such charge up to \$0.25 upon sales made from a distribution point located in Price Zones 1 and 5 to 10, inclusive, and up to \$0.50, in Price Zones 2, 3 and 4.

[Subparagraph (3) as amended by Am. 11, 9 F.R. 2651, effective 3-1-44]

(4) Limitation on total charge for transportation and delivery. Notwithstanding any of the provisions of paragraphs (i) (1) to (i) (3), inclusive, of this section, nothing therein contained shall be construed to permit a total charge for transportation and for delivery from the point at which the meat was slaughtered to the place of business or receiving point of a retail seller, purveyor of meals, war procurement agency, other government agency or commercial user of more than \$0.50 per hundredweight in Price Zones 1, 5, 6, 7, 8, 9, or 10; or \$1.00 per hundredweight in Price Zones 2, 3, and 4. The additions specified in this paragraph (i) for transportation and for local delivery may be charged: Provided, That the seller shall itemize separately on an invoice to the buyer the amount charged the buyer for transportation and/or local delivery, except that if such separate statement of transportation charges is prohibited by local law, the seller shall maintain in his own record of the transaction a separate statement of any addition for transportation or local delivery which is included in the maximum price charged,

[Subparagraph (4) amended by Am. 1, 8 F.R. 3589, effective 3-27-43 and Am. 10, 8 F.R. 13117, effective 9-30-43]

(5) How to compute cost. The cost of transportation or delivery is to be computed on the basis of the lowest common carrier rate for the method of transportation employed.

(6) Railway express shipments. Where lamb or mutton is shipped by express to a purveyor of meals by a hotel supply house no charge may be made by the seller for transportation or delivery. The buyer pays the shipping charges di-

rectly to the carrier.

(j) Peddler-truck selling addition. Where the seller makes a peddler-truck sale involving delivery of not more than 50 pounds of lamb and/or mutton in a total delivery of not more than 150 pounds of meat and meat products in any one day from such peddler-truck to

any buyer's store door, he may add \$1.25 per cwt. in lieu of the additions permitted under paragraph (i) of this section for delivery and/or transportation.

[Paragraph (j), formerly (i), added by Am. 3, 8 F.R. 4786, effective 4-14-43]

§ 1364.171 Amounts which must be deducted from the zone lamb and mutton prices listed in Appendices A to H. The following shall be deducted from the

applicable zone prices:

(a) For all lamb and/or mutton carcasses and/or lamb or mutton wholesale cuts and/or other meat items subject to this § 1364.171 delivered in a straight or mixed carload shipment or sold as a part of a straight or mixed carload sale, the seller shall deduct \$0.25 per hundredweight from the applicable maximum price.

[Paragraph (a) amended by Am. 4, 8 F.R. 7679; Am. 6, 8 F.R. 9066, effective 6-30-43; and Am. 8, 8 F.R. 11082, effective 8-7-43]

- (b) For lamb and mutton carcasses and wholesale cuts not graded by an official grader. For all lamb or mutton carcasses or wholesale cuts sold bone-in which do not bear the grade mark and identification of an official grader of the United States Department of Agriculture at the time of sale, the seller shall deduct 12½ cents per cwt.
- [Paragraph (b), formerly (c), added by Am. 3, 8 F.R. 4786, effective 4-14-43. Heading amended by Am. 11, effective 3-1-44. Former paragraph (b) revoked and former (c) redesignated (b) by Am. 4, 8 FR. 7679] [Paragraph (c) added by Am. 6, 8 FR. 9066, effective 6-30-43; revoked by Am. 8]
- § 1364.172 Evasion. (a) The price limitations set forth in this Revised Maximum Price Regulation 239 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to lamb or mutton or in conjunction with any other commodity or services, or by o way of any commission, service, transportation, or other charge, or discount, premium, or other privilege or by tying agreement, combination sale or other trade understanding: Provided, That a payment by a buyer to a seller for any services performed by a buyer to a seller for icing services performed by a seller after April 14, 1943, and before delivery of lamb or mutton to a railroad whose charges are paid directly to such railroad by the buyer shall not be construed as an evasion of such price limitations if the charge for such icing services is no higher than the cost actually incurred by the seller in performing such services and no higher than the charge which could lawfully have been made by the railroad if such services had been performed by the railroad.
 - [Paragraph (a) as amended by Am. 3, 8 F.R. 4786, effective 4-14-43]
 - (b) Specifically, but not exclusively, the following practices are prohibited:
 - (1) Unnecessarily routing lamb or mutton through any distribution point in order to obtain a higher zone price or for the purpose of making a higher delivery charge.

- (2) Making or receiving a charge for delivery on the basis of a route different from that actually followed and in excess of that permitted for the route by which the lamb or mutton is actually delivered.
- (3) Falsely or wrongly grading or invoicing lamb or mutton.
- (4) Selling or invoicing lamb or mutton at kosher prices to other than kosher dealers or kosher purveyors of meals.
- (5) Selling or invoicing lamb or mutton by hotel supply houses to persons other than purveyors of meals at the prices allowed on sales to purveyors of meals.
- (6) Requiring as a condition of celling one or more commodities included within this Maximum Price Regulation that any purchaser or prospective purchaser purchase or agree to purchase any other commodity or commodities whether or not such other commodity or commodities are included within this or any maximum price regulation.

§ 1364.173 [Revoked]

[§ 1364.173 amended by Am. 3, 8 FR. 4723, effective 4-14-43; revoked by Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.174 Definitions. (a) When used in this Revised Maximum Price Regulation No. 239, the terms:

(1) "Price Zone Numbers 1 to 10, inclusive" means the geographical districts defined in §§ 1364.176 to 1364.183

(Appendices A to H).

(2) "Three months quota period" means and is limited to the following quarterly periods: June 1 to August 31, inclusive, September 1 to November 30, inclusive, December 1 to February 28 or 29. inclusive, and/or March 1 to May 31, inclusive.

[Subparagraph (2) amended by Am. 3, 8 F.R. 4786, effective 4-14-43 and Am. 11, 9 F.R. 2651, effective 3-1-44]

(3) A "wholesaler" means a wholesaler who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled, in whole or in substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

- [Subparagraph (3) as amended by Am. 11, 9 F.R. 2651, effective 3-1-44] [Former subparagraph (4) revoked, and former (5) through (13) redesignated (4) through (12) by Am. 8, 8 F.R. 11082, effective (12)
- (4) "Lower price zone" means a price zone having a lower zone price. "Higher price zone" means a zone having a higher zone price.
- (5) "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, the Marine Corps, the Coast Guard, the War Shipping Administration, or any agency of the foregoing.
 - (6) "Carload" means:
- (i) A shipment by rail of fresh or frozen meat to a single delivery point, of at least the minimum weight upon which

the railroad carload rate from the point of shipment to the delivery point, as evidenced by the tariffs of carriers, is based: Provided, That where the transportation charge for shipment of a lesser weight at the railroad carload rate will be lower than the transportation charge for such a shipment at the railroad lessthan-carload rate, such lesser weight shall be considered a carload.

(ii) A shipment by motor truck or trucks, to a single delivery point of 15,000 pounds or more of fresh and/or frozen meat, as a single transaction; and

(iii) Any single transaction wherein the buyer takes delivery at the seller's place of business of 15,000 pounds or more of fresh and/or frozen meat.

(7) "Pluck" means the lungs, liver and heart.

(8) "Round dressing" means the type of dressing in which the pelt, head, front and hind trotters, and all internal organs except kidneys and melts are re-

moved. The pluck may be left in or out.
(9) "Wholesale cut" means, and is limited to, the following cuts meeting the following minimum specifications, derived from the carcass of the lamb or mutton, excluding the offal and other items covered by the General Maximum

Price Regulation:

(i) "Hindsaddle" and "hindquarter" means the double and single hindquarters, respectively, including the 13th rib. The hindeaddle is made by cutting between the 12th and 13th ribs following the curvature of the ribs close to the 12th rib to the point where the 12th rib turns. The cut is completed by following a line through the flank at a right angle to the chine bone. This cut is split in half through the center of the chine bone to

make the hindquarter.
(ii) "Foresaddle" and "forequarter" means the double and single forequarters, respectively, and includes 12 ribs. It is the anterior portion of the carcass remaining after the removal of the hindsaddle. The foresaddle is made by cutting between the 12th and 13th ribs following the curvature of the ribs closs to the 12th rib to the point where the 12th rib turns. The cut is completed by following a line through the flank at a right angle to the chine bone. This cut is split in half through the center of the chine bone to make the forequarter.

(iii) "Legs" and "leg" mean a pair of legs and one leg, respectively. The legs are separated from the loin by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone and leaving all of the hip bone in the leg. The cut shall be made in a straight line which is perpendicular to the contour of the outside or skin surface of the hindsaddle. The pair of legs may then be split through the center to make the single leg.

(iv) "Loin" and "half loin" means the double and single loin, respectively, and is the part of the hindsaddle which remains after the legs have been removed. The loin is separated from the hindsaddle by cutting squarely in a line at a right angle to the chine bone, just exposing the end or point of the hip bone. leaving none of the hip bone in the loin. The cut shall be made in a straight line which is perpendicular to the outside or skin surface of the hindsaddle. The loin includes the 13th rib and is not trimmed, i. e., it includes the flank, kidney and fat. The half loin is made by splitting the loin in half through the center of the chine bone.

(v) "Hotel rack" may be either the double or single rib sections from the 5th to the 12th ribs, inclusive, minus the breast. It is made by cutting the foresaddle or forequarter, starting at a point on the 12th rib not more than four inches down from the point of the eye, cutting in a straight line to a point on the 5th rib which is not more than four inches from the hollow of the chine bone on the inside, in the lamb carcass, and not more than four and one-half inches from the hollow of the chine bone on the inside in the mutton carcass. It is then separated from the yoke by cutting between the 4th and 5th ribs following the curvature of the ribs close to the 4th rib. It may be split through the center of the chine bone to make two single rib sections.

(vi) "Yoke" means the foresaddle minus the hotel rack. It consists of the neck, brisket, breast, shanks, and shoulders. The half yoke is made by splitting the yoke in half through the chine

bone and neck bone.

(vii) "Bracelet" means a subdivision of the foresaddle consisting of the ribs and breast from the 5th to the 12th ribs, inclusive. The bracelet is made by cutting the foresaddle or forequarter between the 4th and 5th ribs following the curvature of the ribs close to the 4th rib until this rib turns to join the breast bone at which point the cut is completed by following a line through the breast at a right angle to the chine bone. It may be split through the center of the chine bone.

(viii) "Chuck" means the subdivision of the foresaddle left after cutting a bracelet and consists of the neck, shoulders, shank, and brisket. It includes the 1st to the 4th ribs. It is separated from the foresaddle or forequarter by cutting between the 4th and 5th ribs following the curvature of the ribs close to the 4th rib until this rib turns to join the breast bone at which point the cut is completed by following a line through the breast at a right angle to the chine bone. It may be split through the center of the chine bone.

[Subparagraph (viii) as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

(ix) "4-rib shoulder" means a cut made from the yoke or chuck by cutting in a straight line starting at a point on the 4th rib not more than four inches from the hollow of the chine bone on the inside in the lamb carcass passing through a point at the forward end of the first segment of the sternum or breast bone. This cut will separate the shoulder from the brisket and shank. When the shoulder has been separated from the brisket and shank the only bone to show on the side of the shoulder other than the ribs is the arm bone. It may be split through the center of the chine bone. This cut may be made as a wholesale cut only for the purpose of preparing a boneless lamb roll.

[Subparagraph (ix) as amended by Am. 1]

(x) "Breast or shank" means either the part which remains after the 4-rib shoulder has been removed from the yoke, in which case it includes the breast, brisket and shank, or the part which remains after the 4-rib shoulder has been removed from the chuck, in which case it includes the brisket and shank.

[Subparagraph (x) as amended by Am. 1]

(xi) "Boneless lamb roll" means the boneless meat derived from a 4-rib shoulder with the neck on. This meat is entirely boned, rolled into a cylindrical shape, trimmed of loose or irregular portions at the ends, and tied, and may be wrapped in lamb or beef caul fat. This caul fat shall not exceed ½ inch in thickness at any point and shall not exceed 12 percent in weight of the finished roll.

(xii) "Lean boneless lamb or mutton" means boneless lamb or mutton meat respectively from any part of the carcass. In preparing this meat, the pluck and all cords, sinews, neck straps, kidneys, and melts are to be removed. No trimmable fat in excess of 8 percent in weight is to be left on the meat.

(xiii) "Regular boneless mutton" means boneless mutton meat from all, or any part of the carcass. In preparing this meat, the pluck and all cords, sinews, neck straps, kidneys, and melts are to be removed. No trimmable fat in excess of 30 percent in weight is to be left on the meat.

(xiv) "Kidneys, bulk" means lamb or sheep kidneys with the kidney fat removed.

(xv) "Telescoped style lamb" or "telescoped style mutton" means a lamb or mutton carcass prepared in accordance with the specifications set forth in Schedule FSCC-10, Revised February 8, 1943, Meat Products Purchase Specifications, of the Federal Surplus Commodities Corporation of the United States Department of Agriculture; or lamb or mutton hindsaddles, or foresaddles, prepared in accordance with the specifications set forth in Amendment 9 to that schedule.

[Subparagraph (xv) as amended by Am. 10, 8 F.R. 13117, effective 9-30-43]

(xvi) "Pickled mutton" is mutton prepared in the following manner: The kidney, melts and excessive internal fat is removed; the meat is then cut into pieces weighing two to four pounds each, from which all surface fat in excess of 34 inch in thickness is removed, and which are free of blood clots; these pieces of meat are cured from 20 to 25 days in 100 degree pickle containing approximately one ounce of nitrate of soda per gallon, and are overhauled at five and ten days of age. After curing, the mutton is packed in hardwood barrels, 200 pound cured net weight to the barrel. The meat is topped off with 60 pounds of fine salt per barrel and sufficient new pickle of the same kind and strength as used in curing is added to fill the barrel.

(xvii) "Neckbones" means the neck (cervical) vertebrae with some meat left between the projections on the vertebrae, but generally well trimmed in accordance with practical operations.

[Subparagraph (xvii) added by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

·(10) "Hotel supply cuts" means the following cuts derived from the permitted wholesale cuts:

(i) "Leg, oven-prepared" means the leg cut as described in paragraph 9 (iii) of this section with all bones except the leg bone (femur) removed and tied. The leg bone means the bone between the stifle joint and the rump bone.

(ii) "Leg, boned, rolled, and tled" means the leg cut as described in paragraph (9) (iii) of this section prepared in the following manner: All bones are removed, the fell is pulled off the shank meat up to the stifle joint, the shank meat is either cut off and placed lengthwise in the pocket left by the aitch and leg bones, or folded back, and the meat is then rolled into a cylindrical shape and tied with at least four loops.

(iii) "Loin, flank on, kidneys and suet out" means the loin cut as described in paragraph (9) (iv) of this section with the kidney and all surrounding suet and the melt removed. The fat in the loin shall be trimmed smooth and trimming

by a knife shall be apparent.

(iv) "Loin, flank off, kidney and suet out" means the loin prepared as described in the preceding paragraph with the flank removed. The flank shall be removed by starting at a point on the 13th rib not more than four inches down from the point of the eye and then cutting in a straight line to a point at the other end not more than four-and-a-half inches from the chine bone.

(v) "Loin chops" means chops cut from the loin, prepared as described in the preceding paragraph with the flank off and the kidney and suet out, from which the 13th rib has been removed. To make chops, the fell is removed and the loin is then split into two parts along the center of the chine bone. Each half is further separated by making cuts straight down on lines at right angles to the chine bone. Each half loin must be cut in this manner into at least four individual chops which may be of any desired size or weight.

(vi) "Loin, boned, rolled, and tied" means the loin prepared flank on, kidney and suet out, as described in paragraph (10) (iii) of this section, from which is removed one inch of the flank containing the gristle and sinews. The 13th rib and the entire chine bone are also removed. The loin meat is then rolled into a cylindrical shape and tied with at least four loops.

(vii) "Rib chops, regular" mean chops cut from the hotel rack in the following manner: The fell is removed together with all excess fat and the rack is then divided in the center of the chine bone. The single hotel rack is then divided into rib chops by splitting between the ribs into at least four rib sections which may be of any desired size or weight.

(viii) "Rib chops, 5th to 7th rib inclusive" mean chops made from the forward end of the hotel rack as described

in the preceding paragraph, which include the 5th, 6th, and 7th ribs and which contain segments of shoulderblade bone or cartilage.

(ix) "Rib chops, 8th to 12th rib, inclusive" mean chops made from the back end of the hotel rack as described in paragraph (10) (vii) of this section which include the 8th to 12th ribs and which do not contain any segments of shoulder-blade bone or cartilage.

(x) "Yoke boned, rolled and tied" means the yoke cut from a mutton carcass as described in paragraph (9) (vi) of this section with all bones removed, rolled into a cylindrical shape and tied

with at least four loops.

(xi) "Yoke, boneless stew" means small cubes of boneless meat derived from the yoke, none of which is more than two cubic inches in size or contains more than one-fourth inch of fat or consists of more than 25 percent fat.

(xii) "Shoulder, boneless stew" means small cubes of boneless meat derived from the shoulder, none of which is more than two cubic inches in size or contains more than one-fourth inch of fat or consists of more than 25 percent fat.

(xiii) "Shoulder, boned, rolled, and tied" means the 4-rib shoulder cut as described in paragraph (9) (ix) of this section with all bones removed, rolled into a cylindrical shape and tied with at least four loops.

(xiv) "Shoulder, regular stew, bone in" means small cubes of meat derived from the 4-rib shoulder none of which is larger than two cubic inches in size.

(xv) "Breast and shank, regular stew, bone in" means small cubes of meat derived from the breast and shank cut as described in paragraph (9) (x) none of which is larger than two cubic inches in size.

(xvi) "Shank, braising" means a shank separated from the breast and shank cut as described in paragraph (9) (x) in the following manner: The shank is separated from the breast at the shank knuckle bones. The cut should start at the same point as that which separates the breast and shank from the shoulder. The lower fore shank bone is cut off at the knee joint.

(xvii) "Shank, regular stew, bone in" means small cubes of meat derived from the shank cut as described in the preceding paragraph none of which is larger

than two cubic inches in size.

(xviii) "Breast, regular stew, bone in" means small cubes of meat derived from the breast none of which is larger than two cubic inches in size. The breast is the part of the breast and shank which is left after the shank is severed as described in paragraph (10) (xvi) of this section. It includes the brisket.
(xix) "Hotel rack, chine removed,

blade bone out" means the single hotel rack as described in paragraph (9) (v) of this section with the chine bone (backbone), including the feather bones, and the shoulder blade and shoulder blade cartilage completely removed. The chine bone is removed by cutting along the line where the ribs join the backbone. [Subparagraph (10), formerly (11), amended by Am. 1, 8 F.R. 3539, effective 3-27-43]

(11) "Peddler-truck sale" means a sale of lamb and/or mutton from a truck by a person who purchases meat at or below the ceiling price from a seller with whom he has no other financial afiliations or relationship, who takes delivery at the seller's place of business, and who does not sell or deal in meat in any manner other than sales out of stock carried in a truck, owned and driven by him: Provided, That the first record of the transaction is made by the salesman concurrently with the delivery of the product sold.

(12) "Farm slaughterer" means a person chiefly engaged in producing agricultural products as the resident operator of a farm who did not deliver meat in 1941 from the slaughter of livestock with a live weight of more than 10,000 pounds and whose current slaughter is not in excess of that permitted such slaughterers under Food Distribution Order No. 27" or any superseding order.

[Subparagraphs (11) and (12), formerly (12) and (13), added by Am. 3, 8 F.R. 4788, effective 4-14-43]

(13) "Variety meats and edible byproducts" include and are limited to those items only which are defined and for which maximum selling prices are established in Maximum Price Regula-tion No. 398, "Variety Meats and Edible By-Products at Wholesale" and/or Maximum Price Regulation No. 355, "Retail Ceiling Prices for Beef, Veal, Lamb and Matton Cuts and All Variety Meats and Edible By-Products".

(14) "Fabricated meats cuts" as used in this regulation means and is limited to those hotel supply cuts which are described and for which maximum prices are established in this regulation and those fabricated beef and fabricated veal cuts which are described and for which maximum prices are established in Revised Maximum Price Regulation No. 169, "Beef and Veal Carcasses and Wholesale Cuts".

[Subparagraphs (13) and (14) added by Am. 11, 9 F.R. 2651, effective 3-1-44]

§ 1364.175 Effective date. This revised Maximum Price Regulation No. 239 (§§ 1364.151 to 1364.185, inclusive) shall become effective December 23, 1942. [Revised MPR 239 originally issued Dec. 18, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

§ 1364.176 Appendix A: Zone 1 and applicable zone wholesale prices. Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 1, which are defined as follows:

Zone 1: Washington, Oregon, California and Nevada. All the portion of Idaho north

of and including the counties of Idaho. Baundary, Bonner, Kootenai, Benewah, Sac-ehone, Latah, Clearwater, Nez Perce and

[Above paragraph as amended by Am. 10, 8 F.R. 13117, effective 9-30-431

(a) The maximum prices set forth in paragraphs (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) The Zone 1 prices for carcasses and wholesale cuts are the prices specifled in § 1364.177 (b) plus \$1.50 per cwt.

[Paragraph (b) as amended by Am. 4, 8 F.R. 7673. For effective dates see note following § 1364.151]

(c) (1) The Zone 1 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1) plus \$1.50 per cwt. subject to the special price instructions in subparagraph (2) of this paragraph.

(2) Special price instructions. (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 1 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3539, effective 3-27-43, and Am. 4, 8 F.R. 76791

§ 1364.177 Appendix B: Zones 2. 3 and 4 and applicable zone wholesale prices. Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zones 2, 3 and 4 which are defined as follows:

Zone 2: Montana, Wyoming, Utah, Arizona and all that portion of Idaho south of, but not including, Idaho County,
Zone 3: Colorado and New Mexico.

Zone 4: North Dakota, South Dakota, Minnecota, Nebracka, Kansas, Oklahoma and

All that portion of Wisconsin west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon, and Craw-

Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Dos Moines, and Lee.

All that portion of Missouri west of and including the countles of Scotland, Knoz, Shelby, Monroe, Audrain, Montgomery, Warren, Franklin, Washington, Saint Francois, Madicon, Wayne and Butler.

JAbove paragraphs as amended by Am. 10. 8 F.R. 13117, effective 9-30-43]

(a) The maximum prices set forth in paragraphs (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

^{11 8} F.R. 2785.

The Zone 2, 3 and 4 prices for carcasses and wholesale cuts are as follows: 9

(b) The Zone 2, 3 and 4 prices for carcasses and wholesale	es for c	arcasses	and wi	nolesale	cuts are	cuts are as follows:	WS:	(ii) The Zone 2, 3 and 4 prices per hundredweight for hotel supply cuts sold by a packing or slaughtering plant, packing branch house, wholesaler or other selling	undredweigl g branch ho	nt for ho	tel supp lesaler c	ly cuts s r other	old by selling
		Lamb	q			Mutton		establishment to purveyors of meals are as follows	as follows:				
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1 Not permitted to be sold and/or delivered in this grade. For effective dates see note following [Paragraph (b) as amended by Am. 4, 8 F.B. 7679. § 1364.151]

Regular boneless mutton_______ Lamb or mutton kidneys, bulk______ Lean boneless mutton

Lamb or mutton neckbones.---

\$26.50 29.00 16.50 13.50 8.50 4.00

(c) (1) (i) The Zone 2, 3 and 4 prices per hundredweight for hotel supply cuts sold by a hotel supply house to purveyors of meals are as follows:

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Mutton	Grado	882444555556665777 88858888885856866777
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Ľ	OE Go	%4%44%2%%0%%%% 264%44%2%% 264%2% 264%
	Grade.	%4%448448408%%444 885888888
Itom		Leg—boned, rollied and tied, Lief—boned, rollied and tied, Liolin—flank on—kidney and suct out Loin chops, Loin chops, Loin chops, Loin chops, Liolid and tied, Hotel rack—rib chops, eth to 12th libs, inclusive. Shoulder—boneless stow. Breast and shame—regular stew, bone in. Bheast—regular stew, bone in. Shanks for braising or regular stew—bone in.

Not permitted to be sold and/or delivered in this grade.

FR. 10444, effective . 8 Am. ģ amended [Subparagraph (1) redesignated (1) (1) and 7-29-43

bo 70 I	[Subparagraph (II) added by Am. 7, 8 F.R. 10444, effective 7-29-43] (2) Special price instruction. (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 2, 3 and 4 prices. (3) The applicable zone prices in Zones 1 and 5 through 10 for fabricated lamb or mutton carcasses (War Shipping Administration Specifications) shall be the	REGISTER, A
1 1	prices specified in Subparagraph (*) nereul, (the applicable dole 2, 9 and 3 prices) plus the following: Zone 1	Friday
ರಾಭವಾಭವಾರ	•	, March 1
C 22 22 C 22 C 23 C 2	(4) Subject to the additions and deduction hereafter provided in Column IV, the following table prices shall be the applicable Zone 2, 3 and 4 prices on sales of fabricated lamb or mutton carcasses (War Shipping Administration Specifications) made:	7, 1944

Column I	Column II	Column III	Calumn IV
Ву	То	Which sales require deliveries	Additions and deduction
(i) Any person, licensed or non- licensed ship supplier (other than slaughterers, packers or packers' branch houses).	The War Shipping Adminis- tration or to such pussen as may be authorized by the War Shipping Ad- ministration to make such purchases under the direc- tion and control of that agency.	To a commercial were- house or a steress, place designated by the Wer Shipping Administration.	Nerg.
(ii) Any person, licensed or non- licensed ship supplier (other than slaughterers, packers or packers' branch houses).	A licensed ship supplicr	To the huyer's place of business.	
(iii) 'A slaughterer, packer or packers' branch house which is a licensed ship supplier.	A ship operator	To ship side	None.
(iv) Any licensed ship supplier (other than a slaughterer, packer or -packers' branch house; which purchased fabricated lamb or mutton carcass (War Shipping Administration specifications) from the War Shipping Administration or a person authorized by the War Shipping Administration to make purchases and sales under its direction.	A ship operator	To ship side	Add SLG per ent. to table prices.
(v) Any licensed ship supplier (other than a slaughterer, pack-	A ship operator	To shi, side	Add \$1.25 per (wt. to table prixes.
er, or packers' branch house). (vi) Any slaughterer, packer or packers' branch house (licensed or unlicensed).	A licensed ship supplier	To the buyer's place of business.	Deduct 184 per ewt. from table prices.

[All prices are on dollars per hundredweight basis. The prices for any fraction of a hundredweight shall be reduced accordingly. The prices set forth herein include costs of freezing and one month's storage, wrapping, boxing, strapping, inspection and grading in accordance with War Shipping Administration Specifications. The additions and deduction specified in §§ 1364.170 and 1364.171 of this regulation are not applicable.]

-		La	mp		Mu	llen
•	Grade AA	Grado A	Grade B	Grade C	Grade S	Grade M
Fabricated carcass	27.75	28, 25	24.00	21.75	14. 79	13.23

All sales under this subparagraph are made subject to the provisions of § 1364. 169 (c) and for the purposes of this subparagraph (4) the term "fabricated lamb or mutton carcass (War Shipping Administration Specifications)" shall be substituted for the term "wholesale cut" in § 1364.169 (c).

For purposes of this subparagraph (4), a sale of fabricated lamb or mutton carcasses (War Shipping Administration Specifications) to any person authorized to make such purchase subject to the direction and control of the War Shipping Administration or to a licensed ship supplier for resale as ship stores, shall be deemed a sale to a purveyor of meals.

casses (War . Shipping Administration Specifications)" means carcasses satisfying the specifications and requirements contained in War Shipping Administration Food Control Regulation No. 2. Fabricated lamb or mutton carcasses (War Shipping Administrations), shall be graded in accordance with § 1364.167 of this regulation, and no fabricated lamb or mutton carcass (War Shipping Administration Specifications) and most pricated lamb or mutton carcass (War Shipping Administration Specifications) so graded shall be packed for sale and/or delivery to the War Shipping Adminis-

tration or to any person authorized to make such purchase under the direction and control of the War Shipping Administration, or to a ship operator, except in the presence of official United States inspectors designated by the Food Distribution Administration, or other United States government agency regularly performing grading and/or inspection service who shall certify that the cutting, boning, trimming and other fabrication, the grade, the weight and the other specifications of the War Shipping Administration and/or the Office of Price Administration have been complied with and that the legends affixed to the package by the seller are correct. Certification by the official United States inspector shall be made by affixing a stamp or sticker to the container, which stamp or sticker shall attest the accuracy of all representations appearing upon the container.

(6) For purposes of subparagraphs (4) and (5) hereof, (i) a licensed ship supplier means any person who has been licensed by the War Food Administration under the provisions of Food Distribution Regulation No. 3, as amended, (issued October 8, 1943), to sell and/or deliver meats and other food products to ship operators and (ii) a "ship operator"

means any person as defined in Food Distribution Regulation No. 3, who conducts "the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States, reprecented by the Administrator of the War Shipping Administration; which is owned, chartered, or operated by any allied or neutral country," or any other person conducting the business of vescels who is designated as a ship operator by the War Shipping Administration.

[Subparagraph.] (3), (4), (5) and (6) added by Am. 12, effective 3-21-44] [Paragraph (c) amended by Am. 1, 8 F.R. 3533, Am. 4, 8 F.R. 7679, and as otherwise noted]

§ 1364.178 Appendix C: Zone 5 and applicable zone wholesale prices. Maximum prices for lamb and mutton carcases and cuts sold from distribution points located in Zone 5, which is defined as follows:

Zone 5: All that portion of Michigan west of and including the counties of Marquette and Menominee.

All that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland and Grant.

The following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Dep Moines and Lee.

All that portion of Illinois north and west of and including the counties of Vermilion, Champaign, Dauglas, Coles, Shelby, Ellingham, Fayette, Bond, Madison, St. Clair and Monroe.

The following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, City of St. Louis, and Jeffercon.

The following counties in Indiana: Lake, Newton, Benton and Warren.

[Above paragraph as amended by Am. 1, 8 P.R. 3583, effective 2-27-43]

- (a) The maximum prices set forth in paragraphs (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.
- (b) The Zone 5 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$0.50 per hundredweight.
- [Paragraph (b) amended by Am. 4, 8 PR. 7679. For effective dates see note following § 1065.151]
- (c) (1) The Zone 5 prices for hotel supply cuts sold to hotels, restaurants and other purveyers of meals are the prices specified in § 1364.177 (c) (1), plus \$0.50 per hundredweight, subject to the

special price instructions in subpara-

graph (2) of this paragraph.

(2) Special price instructions. For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 5 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43, and Am. 4, 8 F.R. 7679]

§ 1364.179 Appendix D: Zone 6 and applicable zone wholesale prices. Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 6, which is defined as follows:

Zone 6: The following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa and Berrien.

Indiana except the counties of Lake, New-

ton, Benton and Warren.

All that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington and Randolph.

The following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin and Pemiscot.

All that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Muhlenberg and Todd.

The following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Mont-gomery, Dyer, Gibson, Crockett, Carroll, Ben-

ton and Houston.

The state of Arkansas.

All that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point of Pointe Coupee Parish and west of and including the parishes of Avoyelles, Saint Landry, Saint Martin and Iberia.

- (a) The maximum prices set forth in paragraph (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.
- (b) The Zone 6 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b) plus \$0.75 per hurdredweight.
- [Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]
- (c) (1) The Zone 6 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1), plus \$0.75 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.
- (2) Special price instructions. (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 6 prices.
- [Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43, and Am. 4, 8 F.R. 76791
- § 1364.180 Appendix E: Zone 7 and applicable zone wholesale prices. Maximum prices for lamb and mutton car-

casses and cuts sold from distribution points located in Zone 7, which is defined as follows:

Zone 7: The Lower Peninsula of Michigan except Berrien County, but including the islands of Michigan lying in Lake Michigan and Lake Huron.

The State of Ohio.

The following counties of New York: Niagara, Erie, Chautauqua and Cattaraugus.

All that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland and Favette.

All that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan and Mingo.

All that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler and Logan.

All that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton and Houston.

All that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette and Lamar.

All that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo and Issaquena.

- (a) The maximum prices set forth in paragraph (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.
- (b) (1) The Zone 7 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$1.00 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.
- (2) Special price instructions. (i) For locally dressed lamb or mutton derived from animals slaughtered in a plant located in Ohio or those portions of Michigan, Pennsylvania, or New York included in this price zone and delivered within 75 miles of the point of slaughter, \$0.50 per hundredweight may be added to the Zone 7 prices.
- (ii) For kosher lamb or mutton derived from animals slaughtered in a plant located in Ohio or those portions of Michigan, Pennsylvania, or New York included in this price zone and delivered to kosher dealers within 75 miles of the point of slaughter, \$0.50 per hundredweight may be added to the Zone 7 prices for kosher cuts. This is in addition to the charge which may be made for locally dressed lamb or mutton in accordance with special price instruction (i).
- [Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]
- (c) (1) The Zone 7 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1), plus

\$1.00 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) Special price instructions. For hotel supply cuts from the foresaddle cuts of kosher lamb or mutton derived from animals slaughtered in a plant located in Ohio or those portions of Michigan, Pennsylvania, or New York included in this price zone and delivered to purveyors of kosher meals within 75 miles of the point of slaughter, \$1.50 per hundredweight may be added to the Zone 7 maximum prices.

(ii) For kosher hotel supply cuts not meeting the requirements as to location of slaughter plant or distance of delivery from point of slaughter specified in special price instruction (i), but sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43 and by Am. 4, 8 F.R. 76791

§ 1364.181 Appendix F: Zone 8 and applicable zone wholesale prices. Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 8, which is defined as follows:

Zone 8: All that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome; but excluding the counties of Niagara, Eric, Cattaraugus and Chautaugua.

The following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jofferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford and Fulton.

All that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and Mc-Dowell; but excluding the counties of Berke-

ley and Jefferson.

The following countles of Maryland: Garrett and Alleghany.

All that portion of Virginia west of and including the countles of Highland, Bath, Alleghany, Craig, Montgomery, Floyd and Carroll.

All that portion of Tennessee east of and including the counties of Cialborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie and Hamilton.

All that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke and Cleveland.

All that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda and Edgefield.

All that portion of Georgia west and northwest of and including the countles of Columbia, McDuffle, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt and Thomas.

All that portion of Alabama south of and including the counties of DeKalb, Marshall, Blount, Jefferson, Tuscaloosa and Pickens.
All that portion of Mississippi south of and including the counties of Noxubco, Winston,

Leake, Scott, Rankin, Hinds and Warren.

All that portion of Louisiana east of and including the parishes of West Feliciana, Point Coupee, Iberville, Assumption and Saint Mary.

All that portion of Florida west of and including the counties of Lcon and Wakulla.

(a) The maximum prices set forth in paragraph (b) and (c) of this section are subject to the maximum price instructions provided in § 1364.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) (1) The Zone 8 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$1.25 per hundredweight, subject to the special price instructions in subparagraph (2) of this

paragraph.

(2) Special price instructions. (i) For locally dressed lamb or mutton from animals slaughtered in a plant located within those portions of New York or Pennsylvania included in this price zone and delivered within 75 miles of the point of slaughter, \$0.50 per hundredweight may be added to the Zone 8 prices.

(ii) For kosher lamb or mutton derived from animals slaughtered in a plant located within those portions of New York or Pennsylvania included in this price zone and delivered to kosher dealers within 75 miles of the point of slaughter, \$0.50 per hundredweight may be added to the Zone 8 prices for kosher cuts. This is in addition to the charge which may be made for locally dressed lamb or mutton in accordance with special price instruction (i).

[Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 8 prices for hotel supply cuts specified in § 1364.177 (c) (1), plus \$1.25 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) Special price instructions. (i) For hotel supply cuts from the foresaddle cuts of kosher lamb or mutton derived from animals slaughtered in a plant located in those portions of New York or Pennsylvania included in this price zone and delivered to purveyors of kosher meals within 75 miles of the point of slaughter, \$1.50 per hundredweight may be added to the Zone 8 prices.

(ii) For kosher hotel supply cuts not meeting the requirements as to location of slaughter plant or distance of delivery from point of slaughter specified in special price instruction (i), but sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the

Zone 8 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3589, effective 3-27-43, and Am. 4, 8 F.R. 7679]

§ 1364.182 Appendix G: Zone 9 and applicable zone wholesale prices. Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 9, which is defined as follows:

Zone 9: Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island.

All that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings and Richmond.

All that portion of Pennsylvania east of and including the courties of Tioga, Lycom-

ing, Union, Millin, Juniata, Perry and Franklin.

New Jersey and Delaware.

All that portion of Maryland cast and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles and Saint Marys.

The District of Columbia.

The following counties in West Virginia: Berkeley and Jefferson.

All that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin and Patrick.

All that portion of North Carolina cast and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln and

All that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Alken, Barnwell, Allendale, Hampton, Jacper and Beaufort.

All that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook and Brooks.

The following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwanee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flogler, Marjon, Volusia, Lake, Sumter, Citrus, Hernando and Pasco.

(a) The maximum prices set forth in paragraphs (b) and (c) of this section are subject to the maximum price instructions provided in § 1346.169. To these maximum prices may be added the permitted additions, if any, specified in § 1364.170, and from them must be subtracted the required deductions, if any, specified in § 1364.171.

(b) (1) The Zone 9 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$1.50 per hundredweight, subject to the special price instructions in subparagraph (2)

of this paragraph.

(2) Special price instructions. (1) For locally dressed lamb or mutton from animals slaughtered in a plant located in this price zone north of the Potomac River and delivered within 75 miles of the point of slaughter, \$1.00 per hundredweight may be added to the Zone 9 prices.

(ii) For kosher lamb or mutton derived from enimals slaughtered in a plant located in this price zone north of the Potomac River and delivered to kosher dealers within 75 miles of the point of slaughter, \$0.50 per hundred-weight may be added to the Zone 9 prices for kosher cuts. This is in addition to the charge which may be made for locally dressed lamb or mutton in accordance with special price instruction (i).

[Paragraph (b) as amended by Am. 4, 8 P.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 9 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1) plus § 1.50 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) Special price instructions. (i) For hotel supply cuts from the foresaddle cuts of kosher lamb or mutton derived from animals slaughtered in a plant lo-

cated in this price zone north of the Potomac River, and delivered to purveyors of kosher meals within 75 miles of the point of slaughter, \$1.50 may be added to the Zone 9 prices.

(ii) For kosher hotel supply cuts not meeting the requirements as to location of slaughter plant or distance of delivery from point of slaughter specified in special price instruction (i), but sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 9 prices.

[Paragraph (c) amended by Am. 1, 8 FR. 3539, effective 3-27-43, and Am. 4, 8 FR. 76781

§ 1364.183 Appendix H: Zone 10 and applicable zone wholesale prices. Maximum prices for lamb and mutton carcasses and cuts sold from distribution points located in Zone 10, which is defined as follows:

Zone 10. All that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillshorough, and Pinellas.

- (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1364,169. To these maximum prices may be added the parmitted additions, if any, specified in § 1364,170, and from them must be subtracted the required deductions, if any, specified in § 1364,171.
- (b) The Zone 10 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$1.75 per hundredweight.

[Paragraph (b) as amended by Am. 4, 8 F.R. 7679. For effective dates see note following § 1364.151]

(c) (1) The Zone 10 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the maximum prices established in § 1364.-177 (c) (1) plus \$1.75 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) Special price instruction. (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 10 prices.

[Paragraph (c) amended by Am. 1, 8 F.R. 3539, effective 3-27-43, and Am. 4, 8 F.R. 7679]

§ 1364.184 Appendix I: Formula for meat marking fluid. The following formula has been approved by the United States Department of Agriculture, Bureau of Animal Industry, Meat Inspection Laboratory, to be used for marking meats under the provisions of meat inspection law:

Water______gallons____43
Pure grain alcohol, 85 per cent_gallons____ 23
Granulated cane sugar_____pounds___ 109
Methyl violet______pounds___ 10

The methyl violet is dissolved in the alcohol and a portion of the water; the sugar is dissolved in the remaining portion of the water and added to the methyl violet solution. Thorough stirring facilitates solution of the methyl violet.

It is not necessary that the abovementioned formula be adhered to in every detail, but the proportions indicated should not be subjected to any considerable variation; otherwise the marking qualities of the fluid may be impaired. Instead of the pure grain alcohol specified in the formula, there may be employed pure grain alcohol, denatured according to Formula 33 of the United States Bureau of Internal Revenue. When such denatured alcohol is used, it should be employed in the proportion indicated above. No additional methyl violet should be added. Instead of granulated cane sugar, pure granulated glucose may be added in the same proportion, or heavy corn sirup, if of suitable purity, may be used: Provided, Due allowance is made for the water introduced in that way. All the ingredients used in preparing the marking fluid must be free from poisonous and harmful substances.

§ 1364.185 Appendix J: Specifications for Official United States Standards for Grades of Lamb Carcasses, Yearling Mutton, and Mutton Carcasses—(a) Lamb carcasses. (1) Choice or No. 1 grade lamb carcasses have excellent conformation, finish, and quality, but are usually slightly deficient in one or more respects as compared with Prime grade

Choice grade carcasses are relatively short and compact, have short plump legs, broad thick backs, thick full loins, ribs, and chucks, short plump necks, and well-proportioned flanks and breasts. The general outlines resemble closely those of Prime grade carcasses. All fats are of good quality, white or slightly creamy. The outer covering of fat is smooth and usually well distributed, but may be deficient in this respect as compared with that on Prime grade carcasses. Loins and ribs are well covered with fat, which recedes to a moderately thin covering over hind legs and shoul-The fat covering is interspersed ders. with thin strips of pink flesh over the sides and a more even distribution over the lower limits of the breast and flanks. Interior fats are plentiful in the crotch and over the kidneys but not excessive. The flesh is fine-grained, firm, and has a light pink color. Bones are relatively small; soft, and tinged with blood. The break joint of the forelegs shows four smooth, moist, well-defined red ridges.
(2) Good or No. 2. Good or No. 2

grade lamb carcasses have good conformation, finish, and quality, but are deficient in one or more respects as compared with Choice grade carcasses.

Carcasses of this grade are well proportioned and reasonably plump but may be slightly deficient in breadth or depth across the hips, backs, or shoulders. Legs, although short and moderately plump, are more tapering than in carcasses of the higher grades. Loins, ribs, and chucks are thick and full, and necks are short and plump. There may be slight indications of paunchiness or a slight tendency toward the rangy type which is indicated by long tapering shanks and somewhat longer body. Bones are soft and tinged with red, both

indicating a young animal. The break joints of the forelegs show four welldefined relatively soft red ridges.

The outer covering of fat is smooth and even over the back and hips, diminishing sharply toward the shanks and flanks. The fat covering is interspersed with thin strips of lean flesh under the fell, but these are not usually so pronounced as in Choice and Prime grade carcasses. Interior fats are plentiful, but they are unevenly distributed, being in greatest quantity in the regions of kidneys and crotch. All fats are of good quality and white or slightly creamy in color. The flesh is moderately firm, finegrained, and light pink in color.

(3) Commercial or No. 3. Commercial or No. 3 lamb carcasses have fair conformation, finish, and quality.

Carcasses of this grade are usually somewhat angular or rangy in conformation, with moderately long, thin necks and shanks and relatively narrow hips, back, and shoulders. They have moderately long, tapering legs, and they lack the plumpness of the better grades. Ribs and loins are lacking somewhat in depth of flesh. The break joints of the forelegs show four well-defined soft ridges, but these lack redness to a marked degree.

Carcasses of this grade usually have a moderately thin outer covering of fat, but it is not evenly distributed. There are also some carcasses in this grade that have excessive quantities of fat which disqualify them for a higher grade. Interior fats are relatively scarce, the kidneys being only partially covered. Small quantities are also found in the crotch. The thin strips of lean under the fell are not nearly so prominent as in the better grades. Heavier carcasses of this grade or those approaching the yearling mutton stage have proportionately greater quantities of fat than have ·lighter carcasses. The flesh is usually inclined to be soft, spongy, and moderately fine-grained, or may be firm in carcasses from heavier and older animals. color varies from light to dark pink.

(4) Utility or No. 4. Utility or No. 4 grade lamb carcasses are angular and have poor conformation, finish, and qual-

All bones are prominent. Such carcasses are disproportionately long and narrow. The contour of the backbone is plainly visible from neck to tail. Sides are thin, and flanks are thin and flabby. There is little or no exterior or interior fat, slight traces being sometimes found around the kidneys and in the crotch. The heavier and older carcasses frequently have small patches of fat in the regions of the kidneys. This fat usually has a bluish tinge. Bones are usually soft, but they lack the redness of those in better grade carcasses. The break joints of the forelegs have knuckle ends removed and show four well-defined relatively soft ridges. Because of lack of finish the flesh is soft, spongy, and inclined to be watery. It appears coarse and fibrous. Its color may be dark pink or it may have a brownish tinge.

(5) Cull or No. 5. Cull or No. 5 grade lamb carcasses are not offered regularly for retail trade and are found in the

markets only occasionally. Such carcasses are almost entirely devoid of visible fat and are of the most inferior conformation and quality. Proportion of bone to meat is very high. The flesh is dark, soft, coarse-grained, and owing to lack of nourishment or other causes, appears fibrous to a marked degree.

(b) Yearling mutton carcasses—(1) Choice or No. 1. Choice or No. 1 grade yearling mutton carcasses have excellent conformation, finish, and quality. They have relatively short and plump legs, thick loins and ribs, full-fleshed shoulders, thick breasts, and a length of body commensurate with depth and breadth of carcass. Choice grade carcasses have good breadth in proportion to length, but are relatively heavier in the fore quarters than lamb carcasses of the same grade. They resemble Choice grade lamb carcasses in many respects, but have proportionately longer bodies, legs, and necks, larger abdominal cavities, and more distended ribs. Compared with lamb, the bones are harder and whiter. Where the foot is removed from the foreleg the end of the bone shows a rough, dry, and comparatively hard surface.

The outer covering of fat is smooth and well distributed over loins, ribs, and shoulders. The fat covering is inter-spersed with thin strips of dark-pink flesh under the fell extending over the sides and has a more even distribution over the lower limits of the breasts and flanks. Interior fats are plentiful in the crotch, and the kidneys are well and evenly covered. All fats are of good quality, white or creamy, and inclined to be brittle. The flesh is moderately finegrained, firm, and medium to dark pink

in color.

(2) Good or No. 2. Good or No. 2 grade yearling mutton carcasses have good conformation, finish, and quality. Such carcasses, although reasonably plump, may be slightly deficient in breadth across the hips, back, and shoulders. Yearling mutton carcasses of this grade resemble Good grade lamb carcasses in many respects, but have pro-portionately longer bodies and legs, larger abdominal cavities, more distended ribs, and harder bones. The break joints of the forelegs are rough and dry and show little redness.

The outer covering of fat may be fairly even over the back, loin, and rumps, or it may be slightly rough. Interior fats are plentiful in the crotch, and the kidneys are usually well covered. The flesh is firm, moderately finegrained, and has a deep pink to light red color.

(3) Commercial or No. 3. Commercial or No. 3 grade yearling mutton carcasses have fair conformation, finish. and quality. To some extent they lack the fullness or plumpness in legs, loins, and ribs found in Good grade carcasses. Shoulders are usually thinly fleshed and inclined to be rough, necks are long, and legs long and tapering. There is usually a thin covering of fat over the shoulders, a moderate quantity on the loins, ribs, and breasts, and practically none elsewhere on the exterior surface. Except for small quantities around the kidneys and in the crotch, interior fats

are scant. Although the flesh is moderately fine-grained, it usually has a relatively high percentage of moisture and varies in color from deep pink to light red.

(c) Mutton carcasses—(1) Good or No. 2. Good or No. 2 grade mutton carcasses have good conformation, finish, and quality. Good grade carcasses, although well-proportioned and moderately plump, may be slightly deficient in breadth or depth across the hips, backs, and shoulders as compared with Choice carcasses. Legs are relatively short and thickly fleshed. Good grade carcasses generally have wider barrels and more distended ribs than Choice carcasses. The grade admits a higher percentage of ewes, and the bones may be slightly harder and more flinty.

The outer covering of fat, although fairly even, varies to some extent and may be slightly excessive on the rumps or deficient on the shoulders, breasts, and flanks. Interior fats are plentiful, but may be slightly deficient or excessive as compared with Choice grade carcasses, although not to a marked degree. The strips of lean under the fell on the sides are less prominent than on Choice grade carcasses, but these are well defined. The flesh is firm, slightly coarsegrained, and light to medium red in color.

(2) Commercial or No. 3. Commercial or No. 3 grade mutton carcasses have fair conformation, finish, and quality.

Carcasses of this grade lack the fullness or plumpness in legs, loins, and ribs found in carcasses of the better grades. Shoulders are only moderately well fleshed. Carcasses of this grade are relatively narrow through the hips and across the back, and the bones of the spinal column are prominent. Because of these deficiencies such carcasses appear somewhat longer and angular. The abdominal cavity is relatively wide, and the curvature of the ribs is very marked, especially in ewe mutton carcasses.

The thin strips of flesh under the fell. which are so prominent on well-finished carcasses, are only slightly in evidence on Commercial grade carcasses. There is usually a thin covering of fat over the back, loins, and rumps, but practically none on the legs. The flanks are inclined to be thin. There are moderate quantities of interior fats around the kidneys but not sufficient to cover them. and there are only traces elsewhere. The flesh is moderately firm, but somewhat coarse-grained and medium to dark red in color.

(3) Utility or No. 4. Utility or No. 4 grade mutton carcasses are the lowest grade offered regularly for retail pur-They are angular 'n conformaposes. tion, thinly fleshed, and lacking in finish. Such carcasses are narrow across the hips, loins, back, and shoulders. The contour of the backbone is plainly visible from end to end, and other bones are prominent. The grade consists principally of carcasses from old, thin-fleshed ewes. The bones are therefore usually hard, white, and flinty. Small and uneven patches of exterior fat are occasionally found on loins, back, or

shoulders. There are usually traces of fat around the kidneys, but practically no other interior fats. That which is found is of poor quality. The flesh is coarse-grained, inclined to be soft and flabby, and dark red in color.

[Subparagraph (3) as amended by Am. 1, 8 F.R. 3589, effective 3-27-43]

Norn: The recording and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of March 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-3633; Filed, March 15, 1944; 4:53 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,1 Amdt. 113]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the fol-

lowing respects:

1. Section 1394.7551 (a) (58) is amended to read as follows:

- (58) "Area A" means the States of Arizona, California, Nevada, Oregon, and Washington.
- Section 1394.7551 (a) (59) is amended to read as follows:

(59) "Area B" means the States of Alabama, Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Ohio, Oklahoma, Nebraska, New Mexico, North Dakota, South Dakota, Tennessee, Texas, Utah, Wisconsin and Wyoming, the portion of the State of Florida which lies west of the counties of Gadsden, Liberty and Franklin, the portion of the State of West Virginia, which lies west of the counties of Grant and Pendleton, the portions of the State of Georgia which lie within the corporate limits of the Cities of Rossville and West Point, the portions of the State of Pennsylvania which lie within the corporate limits of the Cities of Farrell, Sharon, Sharpsville and Wheatland, and the portions of the State of Virginia which lie within the corporate limits of the Cities of Bluefield and

- 3. In § 1394.7652 the portion of the table of valid periods relating to Class A coupons numbered 11 and 12 is amended to read as follows:
- 11 March 22, 1944, to June 21, 1944, inclusive, outside the gazoline shortage area, and from August 9, 1944, to November 8, 1944, inclusive, in the gasoline shortage area.
- 12 June 22, 1944, to September 21, 1944, inclusive, outside the gazoline chortage area.

- 4. Section 1394.7653 (d) is amended to read as follows:
- (d) Pursuant to such application, the Board shall issue a Basic ration. Before issuing a Class A or Basic Class B ration book the Board shall remove coupons from the book according to the following formula:
- (1) From a Class A book: All expired coupons and one currently valid coupon for each full twelve days which have elapsed in the "valid period" during which such book is issued.
- (2) From a Basic Class D book issued after March 16, 1944, twenty-four coupons and, in addition, one coupon for each full ten days which have elapsed between March 16, 1944, and the date of issuance.
- 5. In the text of § 1394.7653 (f) the table of periods appearing at the end of the third sentence is amended to read as follows:

Class A rations out- July 22, 1943 to Sep-side the gasoline tember 21, 1944, inchortage area

clusive.

Class A rations with- November 9, 1943, to in the gasoline chortage area

December 30, 1944, inclusive.

Bacle Class D rations July 22, 1943, to No-

vember 11, 1944, inclusive.

6. Section 1394.7701 (c) is amended by substituting for the first two sentences the following sentence:

An applicant for a supplemental ration for use with a motorcycle is deemed to have available sixty miles per month of occupational driving by using the basic ration issued for use with the motorcycle.

7. In § 1394.7704 (b) the proviso at the end of the third sentence is amended to read as follows:

Provided, That except in accordance with the provisions of § 1394.7707, no Board in Area A may allow an average of more than 400 miles per month, no Board in Area B may allow an average of more than 475 miles per month, and no Board in the gasoline shortage area. may allow an average of more than 325 miles per month, for any occupational mileage other than preferred mileage as defined in § 1394.7706. The Board may allow an average mileage in excess of such maximum only if the excess consists of such preferred mileage or additional mileage allowed pursuant to § 1394.7707.

- Section 1394.7704 (d) is revoked.
- 9. Section 1394.7705 (a) (1) (i) is amended by substituting the figures "400" for the figures "460".
- 10. Section 1394.7705 (a) (1) (ii) is amended to read as follows:
- (ii) In the event that the mileage allowed by the Board pursuant to § 1394.7704 (b) or § 1394.7707 exceeds 400 miles per month: Class C coupons in the number specified in Table II for the mileage allowed.
- 11. Section 1394.7705 (a) (3) is amended to read as follows:
- (3) In the case of a passenger automobile for which application for a supple-

^{*}Copies may be obtained from the Office of Price Administration.

²8 F.R. 15985, 16252.

mental ration is made in Area B, the Board shall issue:

(i) In the event that the mileage allowed by the Board is 475 miles per month or less: Class B coupons in the number specified in Table IB for the mileage allowed.

(ii) In the event that the mileage allowed by the Board pursuant to § 1394 .-7704 (b) or § 1394.7707 exceeds 475 miles per month: Class C coupons in the number specified in Table IIB for the mileage allowed.

12. In § 1394.7705 (a) (4) "Table I" is amended to read as follows:

TABLE I-DETERMINATION OF AMOUNT OF SUP-PLEMENTAL, OFFICIAL OR FLEET RATION IN

For passenger automobiles with an allowed mileage of 400 miles per month or less.

(For motorcycles, use Table IC)

"B" coup	ons
Miles per month: for 3 mon	ths
1-25	1
26-50	2
51-75	3
76-100	4
101-125	5
128-150	-6
151-175	7
176-200	8
	9
201–225	10
226-250	
251-275	11
276-300	12
301-325	13
326-350	14
351-375	15
376-400	16
•	

13. In § 1394.7705 (a) (4) "Table II" is amended to read as follows:

TABLE II-DETERMINATION OF AMOUNT OF SUP-PLEMENTAL, OFFICIAL OR FLEET RATION IN

For passenger automobiles with an allowed mileage of more than 400 miles per month

(For motorcycles, use Table IC)

(Por motorojetes, and rante ro)	
"C" coup	ons
Miles per month: for 3 months	
401-425	17
426-450	18
451-475	19
476-500	20
501-525	21
526-550	22
551-575	23
576~600	24
601-625	25
626-650	26
651–675676–700	27
676-700	28
701-725	29
726-750	30
751-775	31
776-800	32
801-825	33
826-850	34
851-875	35
876-900	36
901-925	37
926-950	38
951-975	39
976–1000 1001–1025	40
	41
1026-1050	42
1051-1075	43
1076-1100	44
1101-1125	45
1126-1150	46
1151-1175	47
1176-1200	48

Note: In the event the allowed mileage exceeds 1,200 miles, one additional coupon

shall be issued for each 25 miles, or fraction thereof, of allowed mileage in excess of 1,200 miles.

14. In § 1394.7705 (a) (4) Table IB and Table IIB are added as set forth below:

TABLE IB-DETERMINATION OF AMOUNT OF SUP-PLEMENTAL, OFFICIAL OR FLEET RATION IN IN AREA B

For passenger automobiles with an allowed mileage of 475 miles per month or less.

(For motorcycles, use Table IC)

•	"B" coupons
Miles per month	for 3 months
1-25	1
26-50	2
51-75	8
76–100	4
101–125	5
126-150	6
151-175	
176-200	
201-225	9
226-250	10
251-275	
276-300	12
301-325	
326-350	
351-375	15
376-400	16
401-425	
426-450	
451-475	
TABLE IIB DETERMINATION · OF	AMOUNT OF

SUPPLEMENTAL, OFFICIAL OR FLEET RATION IN AREA B

For passenger automobiles with an allowed mileage of more than 475 miles per month.

(For motorcycles, use Table IC)

	"C" coupons
Miles per month	for 3 months
476–500	20
501-525	
526-550	
551-575	
576-600	
601-625	
626-650	
651-675	
676-700	
701–725	
726-750	30
751-775	31
776-800	32
801-825	33
826-850	34
851-875	35
876-900	36
901-925	37
926-950	38
951-975	
976–1000	
1001-1025	41
1026-1050	
1051-1075	43
1076-1100	
1101-1125	
1126-1150	
1151-1175	
1176-1200	48
Nore: In the event the allo	owed mileage ex-

ceeds 1200 miles, one additional coupon shall be issued for each 25 miles, or fraction thereof, of allowed mileage in excess of 1200 miles.

15. Section 1394.7706 (x) (8) (ii) is amended to read as follows:

(ii) No mileage in excess of the general limitation of an average of 400 miles per month in Area A for non-preferred occupational mileage (475 miles per month in Area B and 325 miles per month in the gasoline shortage area) shall be allowed under this subparagraph (8) unless such excess mileage is for travel on which the applicant is exclusively engaged in the

performance of his duties as such member, and such excess mileage for such purpose shall not exceed an average of 360 miles per month for any one vehicle or for any such member.

amended by deleting the words "or in Area B" and by substituting the figures "400" for the figures "460."

17. Section 1394 7707 (2) (2)

to read as follows:

- (3) Where application is made in Area B and such person requires more than 475 miles per month for driving between home and a fixed place or places of work, or between fixed places of work, in connection with his principal occupation.
- 18. Section 1394.7754 (b) (1) is amended to read as follows:
- (1) If the Board is in Area A the maximum average mileage is 400 miles per month.
- 19. Section 1394.7754 (b) (3) is added to read as follows:
- (3) If the Board is in Area B the maximum average mileage is 475 miles per
- 20. Section 1394.7755 (a) (1) (i) is amended to read as follows:
- (i). In the event that the mileage allowed by the Board is 400 miles per month or less: Class B coupons in the number specified in Table I in § 1394.7705 (a) (4) for the mileage allowed.
- 21. Section 1394.7755 (a) (1) (ii) isamended to read as follows:
- (ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 400 miles per month: Class C coupons in the number specified in Table II in § 1394.7705 (a) (4) for the mileage allowed.
- 22. Section 1394.7755 (a) (3) (i) is amended to read as follows:
- (i) In the event that the mileage allowed by the Board is 475 miles or less: Class B coupons in the number specified in Table IB in § 1394.7705 (a) (4) for the mileage allowed.
- 23. Section 1394.7755 (a) (3) (ii) is amended to read as follows:
- (ii) In the event that the mileage allowed by the Board pursuant to § 1394.7754 (b) exceeds 475 miles per month: Class C coupons in the number specified in Table IIB in § 1394.7705 (a) (4) for the mileage allowed.
- 24. In § 1394.7755 (a) (4) Table III and Table IV are revoked.
- 25. Section 1394.7856 (b) (1) is revoked.
- 26. Section 1394.8051 (e) is amended to read as follows:
- (e) Notwithstanding any_other provisions of this section, no Board shall allow mileage in respect to any renewal of a supplemental, fleet or official ration, or any ration issued pursuant to the provisions of § 1394.7757 or § 1394.-7758 which will in any way compensate for any loss in mileage caused by any reduction in the unit value of Class A. B or C coupons or by any extension of the valid period of the Class A coupon made on or after October 1, 1943, unless

such restoration is made pursuant to the provisions of § 1394.8052.

27. Section 1394.8053 (b) is amended to read as follows:

(b) Such application shall be made in the same manner as the application for the current ration. It may be granted only if such current ration is a supplemental ration based on an allowed mileage in excess of 400 miles per month in Area A, 475 miles per month in Area B, or 325 miles per month in the gasoline shortage area.

This amendment shall become effective at 12:01 a.m., March 22, 1944.

Note: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3635; Filed, March 15, 1944; 4:52 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,1 Amdt. 2 to Rev. Supp. 1]

MILEAGE RATIONING: GASOLINE REGULATIONS

Revised Supplement No. 1 to Ration Order No. 5C is amended in the following respects:

- 1. Section 1394.8401 (a) (1) is amended to read as follows:
- (1) Three (3) gallons of gasoline with respect to Class A coupons.

Five (5) gallons of gasoline with respect to Class B and C coupons which bear the numeral "2" or a higher numeral on the face of the coupon.

Three (3) gallons of gasoline with respect to Class B and C coupons; which do not bear the numeral "2" or a higher numeral on the face of the coupon, in Area A and in the States of Colorado, Idaho, Montana, Utah and Wyoming.

Two (2) gallons of gasoline with respect to Class B and C coupons, which do not bear the numeral "2" or a higher numeral on the face of the coupon, in Area B except the States of Colorado, Idaho, Montana, Utah and Wyoming.

2. In § 1394.8401 (b) the definition of Area A is amended to read as follows:

"Area A" means the States of Arizona, California, Nevada, Oregon and Washington.

3. In \S 1394.8401 (b) the definition of Area B is amended to read as follows:

"Area B" means the States of Alabama, Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, Wisconsin and Wyoming, the portion of the State of Florida which lies west of the counties of Gadsden, Liberty and Franklin, the portion of the State of West Virginia which lies outside of and west of the counties of Mineral, Grant and Pendleton, the portions of the State of Georgia which lie within the corporate limits of the Cities of Rossville and West Point, the portions of the State of Pennsylvania which lie within the corporate limits of the Cities of Farrel, Sharon, Sharpsville and Wheatland, and the portions of the State of Virginia which lie within the corporate limits of the State of Virginia which lie within the corporate limits of the Cities of Bluefield and Bristol.

This amendment shall become effective at 12:01 a.m. on March 22, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of March 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-3634; Filed, March 15, 1944; 4:52 p. m.]

[MPR 521]

PITTED AND MACERATED DOMESTIC DATES AND DOMESTIC DATE PRODUCTS (1943 CROP AND AFTER)

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of the regulation has been issued and filed with the Division of the Federal Register.*

§ 1351.372 Maximum prices for processors and certain other sellers of pitted and macerated domestic dates and domestic date products (1943 crop and after). Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328 Maximum Price Regulation No. 521 (Pitted and Macerated Domestic Dates and Domestic Date Products, 1943 Crop and After) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.372 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9259, 7 FR. 7871; E.O. 9328, 8 FR. 4681.

MASILIUM PRICE REGULATION NO. 521—PITTED AND MACERATED DOMESTIC DATES AND DOMES-TIC DATE PRODUCTS, 1943 CLOP AND AFTER

ARTICLE I—EXPLANATION OF THE REGULATION AND GENERAL DEFINITIONS

Sec.

- 1. Explanation of the regulation.
- 2. General definitions.

AUTICLE II—PROCESSORS' MAXIMUM PRICES

Scc.

- Maximum prices of processors for pitted domestic dates, macerated domestic dates and domestic date products.
- 4. Maximum Prices for government sales.

ARTICLE III-MAXIMUM PRICES FOR DISTRIBUTORS

 Maximum prices for distributors other than wholecalers and retailers.

ARTICLE IV—2/ISCELLAMEOUS PROVISIONS OF GENERAL APPLICABILITY

- 6. Units of cale and fractions of a cent.
- Maintenance of customary discounts and allowances.
- 8. Export and import sales.
- 9. Payment of brokers.
- 10. Notification of new maximum prices.
- 11. Records which must be kept.
- 12. Sales slips and receipts.
- 13. Transfer of business or stock in trade.
- 14. Adjustable pricing.
- 16. Compliance with this regulation.
- 16. Petitions for amendment.

ARTICLE I—EXPLANATION OF THE REGULATION AND GENERAL DEFINITIONS

Section 1. Explanation of the regulation. (a) The purpose of this regulation is to establish maximum prices for pitted and macerated domestic dates and domestic date products of the 1943 crop and after, in sales by persons other than wholesalers and retailers. The products covered by this regulation and processors' maximum prices for sales of each product are set forth in Article II.

(b) This regulation supersedes Maximum Price Regulation No. 243 with respect to sales and deliveries of pitted domestic dates, macerated domestic dates, and domestic date products of the 1943 crop and after.

(c) Maximum prices for sales by wholesalers and retailers are governed by Maximum Price Regulation Nos. 421,² 422 and 423.⁴ "Wholesaler" and "retailer" means the persons respectively referred to as "wholesalers" and "retailers" in those regulations.

(d) This regulation applies only to the forty-eight states of the United States and to the District of Columbia.

(e) Prices established by this regulation are in effect from March 18, 1944.

SEC. 2. General Definitions. (2) When used in this regulation the term:

- (1) "Person" means an individual, corporation, partnership, association, any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions, and their agencies.
- (2) "Processor" means a person who pits, macerates or grinds domestic dates.
- (3) "Pitted domestic dates" means domestic dates from which the pits have been removed, but which otherwise remain whole.

¹8 F.R. 15985, 16252.

^{*}Copies may be obtained from the Office of Price Administration.

¹⁷ FR. 8478, 8348, 10539.

²8 P.R. 9383, 10569, 10387, 13293, 15250, 15007, 17369, 17367.

^{*8} FR. 9395, 10559, 10937, 12443, 12611, 13234, 15251, 14853, 15585, 15607, 17359, 17370. *8 FR. 9407, 10570, 10939, 12443, 12511, 13294, 14854, 15587, 15603, 16931, 17371.

(4) "Macerated domestic dates" means domestic dates from which the pits have been removed and which have been cut into two or more pieces or have been chopped, sliced or ground. The addition of other ingredients and further processing does not change the classification of macerated domestic dates unless such additional ingredients and further processing result in a complete confection ready for sale to ultimate consumers without further processing in such form as to come within the definition of "domestic date products".

(5) "Domestic date products" means any completed confection containing ninety per cent or more by weight of macerated domestic dates combined with other ingredients, prepared for sale to ultimate consumers without further

processing.

(6) "Net delivered cost" means the amount the purchaser pays for the item (in a purchase which is customary, for him, in quantity, type of supplier, receiving point and means of transportation), less all discounts allowed him, except the discount for prompt payment. However, the expense of local trucking or unloading is not included.

(7) "Delivered to the customary receiving point" means delivered to the place where the particular buyer has customarily received the goods. In cases where the seller is dealing with the buyer for the first time after the effective date of this regulation, "delivered to the customary receiving point" means delivered to the buyer's place of business.

(8) "Records" includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emercency Price Control Act of 1942, as amended, apply to other terms used in this regulation.

ARTICLE II-PROCESSORS' MAXIMUM PRICES

SEC. 3. Maximum prices of processors for pitted domestic dates, macerated domestic dates and domestic date products. (a) The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of pitted domestic dates in bulk or in packages containing more than one pound shall be 28 cents per pound. The processor's maximum price, f. o. b. factory, for sales to purmaximum chasers other than government procurement agencies, of pitted domestic dates packaged in containers of one pound or less shall be 28 cents per pound, plus 7 cents per package (packaging allowance)

(b) The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of macerated domestic dates

shall be.21 cents per pound.

(c) The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies, of domestic date products shall be 35½ cents per pound when sold in

bulk or in packages containing more than one pound and 38 cents per pound when sold in packages containing one pound or less.

SEC. 4. Maximum prices for government sales. The processor's maximum prices, f. o. b. factory, for sales of pitted domestic dates, macerated dates and domestic date products to government procurement agencies shall be 96 percent of his maximum prices, f. o. b. factory, for sales to other than government procurement agencies.

SEC. 5. Maximum prices for distributors other than wholesalers and retailers. "Distributor" means a person, other than a wholesaler or retailer, who purchases all he sells (for his own account) of the kind and brand of the product being priced and resells it without processing or packing any part of it.

(a) Pricing method No. 1. A distributor may use the pricing method of this paragraph (a) only (1) if he sold pitted domestic dates or domestic date products prior to April 28, 1942, (2) when he is selling those products which he actually refrigerates and warehouses in a warehouse or other receiving station not owned or controlled by any of his customers, and (3) when he is selling to wholesalers, or to institutional or commercial users.

The maximum price of a distributor who meets the requirement of pricing method No. 1 shall be his net delivered cost, plus 7% of such-cost.

(b) Pricing method No. 2. The maximum price of a distributor, who does not meet the requirements of paragraph (a) of this section shall be the maximum price of his supplier, f. o. b. factory, plus incoming freight paid by him.

ARTICLE IV—MISCELLANEOUS PROVISIONS OF GENERAL APPLICABILITY

Sec. 6. Units of sale and fractions of a cent. (a) Maximum prices shall be stated in terms of the same general units (like pounds, dozens, etc.) in which the seller has customarily quoted prices for the product.

(b) Amounts computed in the process of figuring a maximum price (other than the maximum price itself) shall be carried to four decimal places (hundredths of a cent). On sales to government procurement agencies, the maximum price itself shall be carried to four decimal places. If any figured maximum price (other than on sales to government procurement agencies) include a fraction of a cent, the seller shall adjust the price to the nearest fractional unit of a cent (like 1¢, ½¢, etc.) in which he has customarily quoted prices for the product.

SEC. 7. Maintenance of customary discounts and allowances. For sales to purchasers other than government procurement agencies, no person shall change any customary allowance, discount or other prices differential to a purchaser or class of purchasers, if the change results in a higher net price to that purchaser or class

Sec. 8. Export and import sales. The maximum price at which a person may export any item covered by this regula-

tion shall be determined in accordance with the Second Revised Maximum Export Price Regulation, and amendments, Sales of products which have been processed or packed outside of the geographical area to which this regulation applies are not covered by the regulation except in cases where the goods being priced are located within the area at the time of sale.

SEC. 9. Payment of brokers. In accordance with existing trade custom, every broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price plus allowable transportation actually paid by the seller or by the broker. The term "broker" includes a "finder."

Sec. 10. Notification of new maximum price. With the first delivery of an item after the effective date of this regulation, or any amendment to it in any case where the seller's new maximum price is different from the maximum price he previously had for the same item, he shall:

(a) Supply each wholesaler and retailer who purchases from him with written notice as set forth below:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA celling price for (describe item by kind, variety, grade, brand, style of pack and container type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or rotalier pricing this item under Maximum Price Regulations Nos. 421, 422 and 423, you must refigure your celling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after (insert effective date of this regulation or amendment authorizing or directing change in maximum price). You must refigure your celling price following the rules in section 6 of Maximum Price Regulations Nos. 421, 422 and 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each seller shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

(b) Notify each purchaser of the item who is a distributor other than a whole-saler and retailer of the establishment of the new maximum price by written notice attached to, or stated on, the invoice issued in connection with the first transaction with such purchaser after the effective date of this regulation or amendment, as follows:

^{*8} F.R. 4132, 5987, 7662, 9998, 15193.

(Insert date)

NOTICE TO DISTRIBUTORS OTHER THAN WHOLE-SALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade, brand, style of pack and container type and size) has been changed from £.... to £.... under the provisions of Maximum Price Regulation No. 521. You are required to notify all wholesalers and retailers from whom you are the customary type of supplier, purchasing the item from you after (insert effective date of this regulation or amendment authorizing or directing change in maximum price), of any allowable change in your maximum price. This notice must be made in the manner prescribed in section 10 of Maximum Price Regulation No. 521.

Sec. 11. Records which must be kept. Every person who makes sales covered by this regulation shall:

(a) Make and preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, all records of the same kind as he has customarily kept, relating to the prices which he charged in those sales; and

(b) Preserve for examination by the Office of Price Administration, for the same period, all his existing records which were the basis of figuring his maximum prices in the manner directed by this regulation, showing the method used in figuring the maximum prices.

SEC. 12. Sales slips and receipts. Any seller who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase, shall continue to do so. Upon request, any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each item sold, and the price received for it.

Sec. 13. Transfers of business or stock in trade. If the business, assets or stock in trade of a seller subject to this regulation are sold or otherwise transferred on and after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of food product, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 14. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in applicable maximum price

is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon a pending request for a change in price or to give the authorization. The authorization will be given by order.

Sec. 15. Compliance with this regulation—(a) No selling or buying above maximum prices. Regardless of any contract or obligation no person shall sell or deliver, or buy or receive in the course of trade, any item at a price higher than the maximum price established for the sale by this regulation. However, prices lower than the maximum price may be charged and paid.

However, the prohibition of this paragraph does not apply to (1) any war procurement agency of the United States, or its contracting or paying finance officers, or (2) the government (or its agencies) of any country the defense of which the President of the United States deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States". No such purchaser or person shall be subject to the libabilities otherwise imposed by this section or by the Emergency Price Control Act of 1942. "War procurement agency" includes the War Department, the Department of the Navy, the United States Maritime Commission, the Lend-Lease Section of the Procurement Division of the Treasury Department, and the following subsidiaries of the Reconstruction Finance Corporation; the Defense Plant Corporation, the Rubber Reserve Corporation, the Metals Reserve Corporation and the Defense Supplies Corporation, or any of their agencies. (This exception is derived from, and for the purpose of this regulation supersedes, Supplementary Order No. 7, issued by the Office of Price Administration).

(b) Evasion. Nor shall any person evade a maximum price, directly or indirectly, whether by commission, service, transportation, or other charge, or discount, premium or other privilege; by tying-agreement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling, or packaging, or in any other way.

(c) Enforcement. Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension provision, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to the regulation. A seller's license may be suspended for violations of the license

of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 16. Petitions for amendment. Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1,° issued by the Office of Price Administration,

Effective date. This regulation shall become effective March 18, 1944.

Note: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

CHESTER BOWLES,

Administrator.

[F. R. Dac. 44-3716; Filed, March 16, 1944; 11:55 a. m.]

PART 1377—Wooden Containers [MPR 520]

WEST COAST COOPERAGE

In the judgment of the Price Administrator, the Maximum Prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Standards and grade specifications used in this regulation have been accepted and were in general use within the in-Custry prior to the issuance of this regulation. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1377.305 Maximum prices for West Coast cooperage. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 520 (West Coast Cooperage) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1377.305, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9259, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION No. 520—WEST COAST COOPERAGE

APTICLE I—PROHIBITIONS AND SCOPE OF REGU-LATION

Sec.

1. Prohibition against dealing in West Coast cooperage and cooperage stock at prices above the maximum.

2. Transactions and products covered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

¹⁷ F. R. 5176.

^{*8} F.R. 13240.

^{3.} Maximum prices.

^{4.} Items not specifically priced.

^{*}Copies may be obtained from the Office of Price Administration.

^{°8} F.R. 3313, 3533, 6173, 11806.

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- 5. Delivered prices.
- β. Prohibited prices.

ARTICLE III-MISCELLANEOUS

- 7. Adjustable pricing.
- Applications for adjustment and petitions for amendment.
- 9. Records.
- Licenses.
- 11. Enforcement.
- 12. Relation to other regulations.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Section 1. Prohibition against dealing in West Coast cooperage and cooperage stock at price above the maximum. On and after the effective date of this regulation, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive West Coast cooperage and cooperage stock covered by this regulation at prices higher than the maximum prices established herein, and no person shall agree, offer or attempt to do any of these things.

Prices lower than the maximum prices herein established may, of course, be charged and paid.

CZC. 2. Transactions and products covered—(a) Transactions covered. This regulation covers all sales and purchases,

within the continental limits of the United States, of the products covered by this regulation, no matter who the seller is

(b) Products covered—(1) West Coast cooperage stock—(i) staves. As used in this regulation, the term "West Coast Staves" means all staves produced in the States of Washington, Oregon or California from West Coast softwood logs by sawing on a parallel sided drum saw, and jointed for use in a bilge barrel or keg.

(ii) Headings. Under the term heading, this regulation covers all heading and heading blanks to circle 12 inches or more in diameter produced in the states of Washington, Oregon or California from West Coast softwood logs.

(2) West Coast cooperage. The term cooperage as used in this regulation includes all barrels and kegs produced either entirely of stock covered by this regulation or having a single bung stave covered by any other regulation.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

Sec. 3. Maximum prices—(a) West Coast cooperage stocks. The maximum prices, f. o. b. producing mili or railhead, for West Coast cooperage stock are those contained in the following tables:

TABLE I-TIGHT STAVES, DRUM SAWN, KILN DRIED, PLANED ONE SIDE, JOINTED, BUNDLED

[Per Dilge inch—1. o. b. stave m	ij.
----------------------------------	-----

Length	31" through 25"	26" to 31"	22" to 26"	18" to 22"	14" to 18"	Under 14"
Thickness: 1"	\$.02125 .01965 .01800 .01725 .01645	\$.01440 .01370	\$ 01120 .01065 .01008 .00950	\$. 00920	\$.00708	

TABLE II—TIGHT HEADING KILN DRIED, PLANED ONE SIDE, JOINTED, DOWELLED AND FLAGGED, CIRCLED

[Per set f. o. b. heading mill]

Diameter	19" through 21"	16" to 19"	13" to 16"	11" to 13"	8" to 11"
Thickness 1516" 1316"	\$0.648 .629 .611	\$0.414 .401 .388			
1 memess 1510"		.388 .375	\$0. 239 . 231	\$0. 201	\$0.159
32"					. 154

TABLE III-SLACK STAVE DRUM SAWN KILN DRIED' JOINTED, BUNDLED

[Per bilge inch—f. o. b. stave mill]

, Nur	nber 1	Tangih	Num	ber 2
₹/6″	36"	Length	7/16"	36"
\$0.01245 •01170	\$0.01055	32" through 34" 29" to 32"	\$0.00910 .00864	\$0.00781

TABLE IV—SLACK HEADING, KILN DRIED, JOINTED, PLANED ONE SIDE, GLUED OR TONGUE AND GROOVED CIRCLED, BUNDLED

[Per set-f. o. b. heading mill]

20" through 21"	19" to 20"	18" to 19"	17" to
\$0.415			
.375	\$0.380 .360 .340	\$0.330	\$0.354
	\$0.415	through 20" \$0.415	through 20" 19" \$0.415

- (b) West Coast cooperage. (1) The maximum prices, f. o. b. producing mill or railhead, for West Coast cooperage produced in the states of Washington, Oregon and California shall be the sum of the following:
- (i) Maximum f. o. b. mill price of staves and heads; and
- (ii) Maximum prices for hoops and extra materials or services priced under this regulation; (see table below)

(iii) Mark-ups as follow:

Tight Cooperage

40 to 55 gal	\$1.30
20 to 40 gal	.98
13 to 20 gal	.71
8 to 13 gal	
Under 8 gal	, 51

Slack Cooperage

Staves 30" through 34" with heads 17" through 21" \$0.65.

(2) Maximum prices for extra materials and services in coopering are as follows:

TABLE V-EXTRA CHARGES ON COOPERAGE

Hoops	•	Over 20 g through 50 gal., per hoo	u	cal, and uder, r hoop			
Tight cooperage: 16 gauge			\$0	\$0.01 .035			
	-	Ī]	lead	size)	
•			17" through 21"	13 to 17	,	Under 13"	
Slack cooperage: 19 gauge and (beaded and flat 20 gauge and (beaded and flat Wood hoops	lighter t)	ا۔	\$0.05 .04 .03	١.	04 03 03	\$0.03 .03 .02	
	Over	20	gallon	20	galle une	on and der	
,	First coat		Second coat (in- clud- ing hoop driv- ing)	First coat		Second coat (in- clud- ing hoop driv- ing)	
Lining: Silicate of soda Paraffin or as-	\$0,05	-	\$0.15	\$0.	02}2	\$0, 0734	
phaltGlue	.15		. 10 . 25	:	0714 0734	. 03 . 1234	
		=	Over gallo		20 an	gallon d under	
Miscellaneous: Varnishing barrels Painting barrels, of Painting barrels colors	ne colo	r.	\$0). 10 . 15 . 20		\$0.03 .07}3	

All size barrels

Varnishing hoops_____per hoop__ \$0.00½ Vent holes_____per barrel__ .01½ Boring any holes other than one bung and vents:

2" and less_____per hole_____.02
Over 2" through 3"___per hole_____.03
Over 3" through 4"___per hole____.00
Over 4"_____per hole____.07½
Hoop fasteners (3 to each hoop)
per barrol_____.05

Sec. 4. Items not specifically priced. Any person desiring to sell on the domestic market any item covered but not specifically priced by the regulation and for which he cannot determine a price under the regulation, shall make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for a price. The application must contain a complete description of the item to be priced, the applicant's March 1942 selling price of the item if he sold such item at that time, his requested selling price and his method of arriving at this price. The requested selling price may be used pending approval of a price by this office subject, however, to adjustment to the price finally approved. Prices not disapproved within 20 days from the receipt of application are approved until specifically revoked.

Sec. 5. Delivered prices. If delivery is by common carrier the actual transportation costs paid or incurred by the seller may be added to the maximum f. o. b. mill prices. If shipment is by truck, owned or controlled by the seller, actual transportation costs may be added to the basic maximum prices. Such transportation cost may not exceed 80% of the common carrier charge for the same shipment.

Sec. 6. Prohibited practices. Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in discount practices, devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, changes in discount practices and the like.

ARTICLE III—MISCELLANEOUS

Sec. 7. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjust-

SEC. 8. Applications for adjustment and petitions for amendment-(a) Government contracts. See Procedural Regulation No. 61 for adjustments on certain government contracts and sub-contracts.

(b) Petitions for amendment. Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,2 issued by the Office of Price Administration.

SEC. 9. Records. All persons making sales covered by this regulation must keep records for each sale amounting to \$15.00 or more which will show a complete description of the products sold, the name and address of the buyer, the date of the transaction, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for two years for inspection by the Office of Price Administration.

SEC. 10. Licenses. The provisions of Licensing Order No. 12 licensing all persons who make sales under price control. are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more Maximum Price Regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 11. Enforcement. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

SEC. 12. Relation to other regulations-(a) General Maximum Price Regulation.4 Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.

(b) Second Revised Maximum Export Price Regulation. The maximum prices for export sales products covered by this regulation are governed by the Second Revised Maximum Export Price Regula-

This regulation shall become effective March 22, 1944.

Note: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

Issued this 16th day of March 1944. CHESTER BOWLES. Administrator.

[F. R. Doc. 44-3707; Filed, March 16, 1944; 11:53 a. m.]

> PART 1381—SOFTWOOD LUMBER [2d RMPR 19,1 Amdt. 2]

> > SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Second Revised Maximum Price Regulation 19 is amended in the following respects:

1. In section 2, at the end of paragraph (a), the following sentences are added:

Moreover, sales of shortleaf Southern pine boards, dimension, and timbers up to 8 x 8 inches, sold by sawmills which do not have planing mills or which customarily sell their lumber in rough green form, and which cut 4,000,000 feet or less of Southern pine lumber in 1943, are not subject to this regulation, but are subject to Maximum Price Regulation 19A, Log-Run Southern Pine Lumber. Any sawmill subject to this Second Revised Maximum Price Regulation 19 may on special application to the Lumber Branch, Office of Price Administration, Washington, D. C., be granted permission to price all his sales of Southern pine lumber under the log-run prices in Maximum Price Regulation 19A.

1A. Section 5, paragraph (a), is amended by the addition of the following sentence:

"F. o. b. mill" means loaded on cars if any part of delivery is by rail, or loaded on trucks if delivery is entirely by truck.

- 2. Section 5 (c) is amended to read as follows:
- (c) Shortleaf Southern pine lumber produced in Virginia. For shortleaf Southern pine lumber produced in the State of Virginia add \$2.50 per M'BM to the f. o. b. mill prices set forth in Article 4, except that no addition may be made to the prices in Tables 3A, 9, 9A, 9B, 10, 11, 12 and 13. This addition shall not be made, however, for the purpose of computing maximum prices under Second Revised Maximum Price Regulation 215, Distribution Yard Sales of Softwood, except by yards located in
- 3. Section 5 (d) is amended to read as follows:
- (d) Combination grades. (1) Lumber sold in a combination of grades may not be sold above the maximum price for the lowest priced grade actually named in the combination except as noted below in subparagraph (2) for the grade "No. 2 Common and better." For example, the maximum price for lumber sold as No. 1 Common and better is the maximum price fixed for No. 1 Common lumber. But it is permissible to sell a combination of grades where the exact quantity of each grade shipped is separately shown on the invoice and segregated in the car by strips (except timbers) or otherwise made easily identifiable to the purchaser and separately tallied (tally card to be included in car), in which case the appropriate ceiling price for

¹7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024. No. 55----6

²9 F.R. 1162, 2026. 27 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11808; 9 F.R. 1594.

³⁸ F.R. 13240.

⁴⁹ F.R. 1385.

⁵8 F.R. 4132, 5987, 7662, 9998, 15193.

Copies may be obtained from the Office of Price Administration.

the quantity of each grade shipped may

be charged.

(2) Any mill may sell dressed dry Southern pine lumber on a combination grade of No. 2 Common and better containing up to 15% of No. 3 Common at not more than the prices established in Tables 1 and 2 for No. 2 Common. This combination grade must contain all of the upper grades which are the product of the log and no mill electing to sell on this combination grade may sell any lumber at prices in excess of the No. 2 Common prices specified in Tables 1 and 2 during the period for which it is authorized to sell on the combination grade. It may, however, during this period sell grades lower than No. 2 Common at the grade prices specified in the Tables 1 and 2.

Any mill electing to sell on the combination grade No. 2 Common and better must apply for authorization to the Lumber Branch, Office of Price Administration, Washington, D. C. before May 1, 1944 to obtain an authorization number which must thereafter appear on all of its invoices for all its sales of Southern pine lumber. Any mill granted authorization to sell on this combination grade of No. 2 Common and better must give notice of at least ninety days to the Lumber Branch, Office of Price Administration, before it may return to the practice of selling on the regular grades.

The Lumber Branch shall deny the privilege of returning to the practice of selling upon the regular grades unless evidence is presented (1) that the mill has inspectors who are qualified to grade, (2) that the operation is so set up that a good grading job can be done, and (3) that the return to the practice of selling on grade is not for the purpose of selling an accumulation of upper grades withheld from combination grade sales in the past.

4. Section 5 (e) is amended to read as follows:

(e) Inspection certificates required on sales of certain grades. Any shipment of Southern pine lumber priced in Tables 1, 2, 3A, 7, 14, 15, 16A and 21 which does not bear the grade mark of a qualified inspection agency as provided in Federal Specification MM-L-751c (May 20, 1942), must either be accompanied by a certificate of inspection by inspection agency, which has been accepted as satisfactory by any Federal purchasing organization, or be inspected by an inspector from the Federal organization making the purchase, if the shipment contains either (1) 30% No. 1 common and higher grades, or (2) 15% C and higher grades, or (3) 10% B and better. The certificate of inspection must cover all lumber in the shipment. In the absence of such a certificate, where the lumber is not grade marked as specified above, lumber invoiced as No. 1 Common and higher grades in any such shipment may not be

sold at prices higher than the prices provided in such tables for No. 2 Common.

Federal Standard Stock Catalog, section IV, (Part 5) "Federal Specification For Lumber and Timber; Softwood", MM-L-751c, reads in part as follows:

E. Detail requirements.

E-1. Softwood lumber shall conform to the grading rules of the various lumber associations in effect at the date of invitation for bids where such grading rules are approved by the Central Committee on Lumber Standards as in conformance with "American Lumber Standards" * * *

F. Method of inspection. c

F-1. A Federal organization buying softwood lumber shall either require the firm or individual furnishing the lumber to meet the provisions of one of the following three methods of inspection procedure or may leave to the firm or individual furnishing the lumber the choice of any one of the three methods:

(1) The order may specify that each piece of lumber in the shipment must be grademarked and also marked with the registered trade-mark of either the association or bureau of the association under whose rules it is graded or of another inspection agency satisfactory to the Federal organization making the purchase.

(2) The order may specify that the shipment must be accompanied by a certificate of inspection issued either by the association or bureau of the association under whose rules it is graded or by another inspection agency satisfactory to the Federal organiza-

tion making the purchase.

(3) The order may specify that inspection will be made by an inspector from the Federal organization making the purchase.

5. Section 6 is amended by the insertion of the following parenthetical paragraph immediately after the heading "Distributors' direct-mill sales," and immediately before the heading "(a) Prices":

(From March 16 to June 30, 1944, the mark-ups in section 6 are limited to the two following classes of sales:

(1) As to lumber produced by producers subject to Conservation Order M-361, the mark-ups apply to all sales complying with that order.

- (2) As to lumber produced by producers not subject to Conservation Order M-361, the mark-ups apply only on direct allocations from the Central Procuring Agency, or direct sales to the U. S. Army, U. S. Navy, Maritime Commission, War Shipping Administration, Defense Plant Corporation, Coast and Geodetic Survey, Treasury Procurement for Lend-Lease, and Veterans' Administration.)
- 5A. In section 6, paragraph (a), the last sentence in subparagraphs (1), (2) and (3) is amended to read as follows: "This mark-up applies only to carload quantities if shipped by rail, or to quantities of 5 M'BM or more if shipped by truck or water."
- 6. Section 6 (e) is amended to read as follows:
- (e) Registration. Any person qualifying as a "direct-mill distributor" under subparagraphs (b) (i) and (ii) of this

section 6 must file a letter with the Lumber Branch, Office of Price Administration, Washington 25, D. C., before March 1, 1944, stating that he meets such requirements. On and after April 1, 1944, no person may make the additions permitted in this section 6 unless he has received a registration number from the Office of Price Administration. This registration number must, after April 1, 1944, be shown on all invoices covering distributors' direct-mill sales carrying the direct-mill distributors' addition.

- 7. In section 7 (b), a subparagraph (4) is added to read as follows:
- (4) Where the addition of \$3.50 per M'BM is applied on sales under this paragraph the additions for direct-mill distributor's sales provided for in section 6 are not applicable.
- 8. In section 9, the caption is changed to read "Grade Marking and Anti-stain", and the following is substituted in place of paragraph (a):
- (a) Additions for grade marking. An addition of \$1.00 per M'BM may be charged for lumber that bears the grade mark of an inspection agency qualified in accordance with "Federal Specification For Lumber And Timber; Softwood", MM-L-751c (May 20, 1942), except lumber priced in Tables 10 and 23 (Standard Plastering Lath and Fence Lath); Table 11 (Byrkit Lath); Tables 12 and 24 (Bed Slats); and Tables 13 and 25 (O. G. Batts).
- 9. In section 14 (b), subparagraph (3) is deleted.
- 10. Section 22 (c) is amended to read as follows:
- (c) In all cases where special prices have been approved by the Lumber Branch of the Office of Price Administration under § 1381.212, paragraphs (f), (g) and (h) of Maximum Price Regulation 19, or section 20 of Revised Maximum Price Regulation 19, these special prices shall no longer apply if specific prices for the items are established by this regulation; but if no specific prices are established in the price tables, the price approved under the earlier regulation shall continue in effect. However, within ninety days after the issuance of this regulation, the Lumber Branch will assign authorization numbers for each special price previously approved and thereafter such authorization numbers must appear on all invoices covering shipments at such special prices. In all cases where a special price authorization has already been assigned a number by the Lumber Branch, no new number will be issued. Special prices are subject to cancellation by letter or telegram at any
- 11. In Article IV, Appendix A, Tables 1 and 2 are amended to read as follows:

ARTICLE IV-APPENDIX A: SHORTLEAF YELLOW PINE LUMBER

The maximum prices for Shortleaf Yellow Pine lumber, in straight or mixed carloads f. o. b. mill, per one thousand feet board measure, shall be as follows:

TABLE NO. 1-BOARDS AND STRIFT

[SIS, S2S, S3S, S4S, S2S and Matched, or Shiplap, Standard or 34"; Air Dred]

Grade	4 and 6 lengths	8 tengths	10 Tengths	12' lengths	14 lengthis	າ6 ໂຕກຊຸປນອ	18, and 20 lengths	Greie	4 and 6 tensities	8' lengths	10 lengths	12" lengths	14 lengths	16 lengths	18 and 20 lengths
No. 1— 4/4 Edge 1 1 x 2 and 1 x 3" 1 x 4" 1 x 5" 1 x 6" 1 x 7" 1 x 8" 1 x 9" 1 x 10" 1 x 11" 1 x 12" Restricted random widths 2 1 x 2 and 1 x 3" 1 x 4" 1 x 10" 1 x 10" 1 x 1 x 4" 1 x 10" 1 x 1 x 4" 1 x 10" 1 x 1 x 4" 1 x 1 x 1 x 1 x 1 x 1 x 1 x 1 x 1 x 1	39, 50 39, 50 44, 50 44, 25 34, 25 37, 00 36, 50 36, 60 36, 60 36, 50 36, 50 36, 50 37, 50 38, 50 38	42.00 44.00 42.00 42.00 42.00 42.00 36.00	43.00 45.00	43.00 45.00 45.00 45.00 45.00 41.50 40.00 40.55 40.00 41.50 40.50 40.50 40.50 40.50 40.60	44.834. 8.41.84.6.86.86.86.86.86.86.86.86.86.86.86.86.8	44.00.000 00000000000000000000000000000	144834	No. 0—Continued; 1 x 5"	68666666666666666666666666666666666666	######################################	21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.00 21.75	23, 75 24, 60 24, 60 25, 60 25, 60 25, 60 27, 50 27, 50 25, 25	24.25.000.000000000000000000000000000000	THE STATE OF THE S	25.00 25.00

¹Edge widths are random widths including odd, even or fractioned widths. Measurement shall be according to Paragraph 136, S. P. I. B. Rules.

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]. For working:

- 1. Rough, deduct \$4.50.
- 2. End-matching, add \$2.00.
- For any other matcher dressing not otherwise provided for (Except V-Joint, ECBIS or ECB2S), add \$2.00. Patterns requiring moulder work, add \$6.50.
- Ripping, add \$1.00 for each cut; resawing, add \$2.00 for each cut, both applicable only where machine run product is shipped.

For grade:

- No. 1 Common 85 or 90% Heart Facial Area, add \$8.00; 85% Heart Cubical Content, add \$6.00.
- For grade marking in accordance with the provisions of section 9 (a), add \$1.00 per M'BM.
- For Combination Grade No. 2 Common and Better as defined in section 5 (d), use No. 2 Common prices.

For condition:

- 8. Kiln dried, add \$1.00.
- 9. Green, deduct \$3.50.

For length:

 Random lengths must average at least 12' (with a tolerance of 3"), and must take the 12' price.

For length—Continued.

- Restricted random lengths, 10' to 16' or longer, all grades, and 8' to 16' or longer, No. 2 or lower grades, charge the specified length price for the lengths actually shipped.
 For any average length, charge the price
- For any average length, charge the price for the specified length corresponding to the average length required and shipped.
- 13. For precision cutting to a specified exact length, with tolerance of not more than ½" allowed, add 61.50. No addition is permitted for customary double end trimming.
- 14. Odd or fractional lengths over 4' not listed, shall be counted and priced as next longer even length.
- 15. For any length shorter than 4° cut to a specified exact length, charge the price of the nearest multiple length up to 12° If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add 61.50 per M'BM for each necessary cross cut, but the addition for precision cutting permitted in foot note 13 may not also be charged, and no total charge for such service may be greater than 60.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

For size:

- 16. Stock thinner than ¾" deduct \$1.00 from the ¾" price for each ½" thinner than ¾" except when dressed both sides use ¾" price. However, sizes that can be resawn from boards or strips 1" in nominal thickness shall take the 1" price, plus the recaying addition permitted.
- 17. 13" and wider, add \$2.50 per inch or fraction thereof to 12" price and compute footage on nominal size.
- 18. 5/4 and 6/4 No 1 and No. 2 Common, add \$3.00.
- 19. 5/4 and 6/4 No. 3 Common, add \$2.00.
- 29. 5/4 and 6/4 No. 4 Common and Dunnage, add \$1.00.
- 21. Extra Standard Thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dreased clean, or will permit slight ckip as defined in paragraph 48, 1933 Standard Specifications for Southern Pine lumber.
- 22. For any average width, charge the price which would have been charged had the buyer ordered the various widths which were shipped.
- Random widths (other than restricted random widths), each width shall be priced at the specified width price.

^{&#}x27;Restricted random widths are 4" to 12" inclusive, and must not contain over 20" of 4" widths, and not less than 20% of 10' and wider.

TABLE 2-DIMENSION [S1S, S2S, S3S, or S4S; Air Dried]

										,	,,	,											
Grade	4' lengths	6' lengths	8' lengths	o' lengths	10' lengths	12' lengths	14' longths	16' longths	18' lengths	20' lengths	22' and 24' lengths	Grade	4' lengths	6' longths	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	15' lengths	20' lengths	22" and 24" langths
2 x 4" 2 x 5" 2 x 6" 2 x 10" 2 x 12" No. 2—	30.00 32.00 32.50 30.00 30.00 32.50 34.50 29.00 28.00	30.00 32.50 30.00 30.60 32.50 34.50 29.00 28.00 31.60	37. 00 39. 00 39. 50 37. 00 37. 00 39. 50 41. 50 35. 00 37. 00	38.00 40.00 42.50 38.00 38.00 42.00 44.00 36.00 38.00	37.00 39.00 41.00 37.00 41.60 43.00 35.00 34.00 37.00	37. 00 39. 00 41. 00 37. 00 37. 00 41. 00 43. 00 35. 00 34. 00 37. 00	38. 00 40. 00 41. 00 38. 00 38. 60 41. 00 43. 00 26. 00 35. 00	39.00 41.00 42.00 38.50 38.50 42.00 44.00 37.00 36.60 39.00	40. 50 42. 50 45. 50 40. 50 40. 50 47. 50 47. 50 38. 50 37. 50 40. 50	41.50 43.50 47.50 41.50 41.50 47.50 39.50 39.50 38.50 41.50	47. 00 49. 60 52. 00 47. 00 52. 00 54. 00 45. 00 44. 00 47. 00	2x8" 2x10" 2x12" No. 3— 2x2" 2x3" 2x4" 2x5" 2x6" 2x8" 2x8"	\$29.00 28.00 28.00 31.00 21.00 24.00 20.50 21.00 21.00	28.00 28.00 31.00 25.00 24.00 27.00 23.50 24.00 24.00	34.00 34.00 37.00 27.00 26.00 29.00 25.50 27.00 26.00	35.50 38.00 39.00 27.00 27.00 29.50 27.00 27.00 30.00	34.00 37.00 38.00 27.00 26.00 29.00 28.50 27.00 26.00 29.00	34.00 36.00 38.00 27.00 26.00 27.00 27.00 27.00 28.00	35.00 36.00 38.00 28.00 27.00 30.00 27.50 23.00 27.00 28.00	35, 50 36, 00 39, 00 29, 00 28, 00 31, 00 27, 50 28, 50 27, 50 29, 00	37. 50 39. 50 42. 50 29. 50 32. 50 31. 00 30. 50 29. 50 31. 50	38, 50 41, 50 43, 50 31, 50 30, 50 33, 60 31, 50 30, 50 33, 50	41.00 47.00 49.00 33.50 35.50 35.60 35.60 32.50 30.50

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)]:

For working:

- 1. Rough, deduct \$4.50. 2. Shiplap, Center Matched, Dressed and Matched, Grooved, or any other matched dressing, not otherwise provided for, add \$1.00. Patterns requiring Moulder work, add \$6.50.
- 3. Ripping or resawing, add \$1.00 for each cut, both applicable only when ma-chine run product is shipped. 4. End-matched and center-matched, add
- \$4.00.

For grade:

- 5. For grade marking in accordance with the provisions of section 9 (a), add
- \$1.00 per M'BM.
 6. For Combination Grade No. 2 Common and better as defined in section 5 (d), use No. 2 Common prices.
- 7. No. 1 Common 85% Heart Facial Area, Add \$12.00; No. 1 Common 85% Heart Cubical Content, add \$8.00.

For condition:

- 8. Kiln dried, add \$1.00.
- 9. Green, deduct \$3.50.

For Size:

- 10. Extra Standard thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.
- 11. Odd or fractional widths not listed, add \$3.00 to nearest greater listed width and compute footage on nominal size. For Length:
- 12. Random lengths must average at least 14' (with tolerance of 3") and must
- take the 14' price.

 13. For any average length, except 9', charge the price for the specified length corresponding to the average length required and shipped. When a 9' average is required charge the 8' price.
- 14. For precision cutting to a specified exact length, with tolerance of not more than 14" allowed, add \$1.50.

 No addition is permitted for customary double end trimming.
- 15. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length. 16. For any length shorter than 4', cut to
- a specified exact length, charge the price for the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add \$1.50 per M'BM. for each necessary cross cut, but the addition permitted in footnote 14 for precision cutting may not also be charged, and no total charge for such service may be greater than \$6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, other-

wise compute on six inch breaks on the next break above.

17. Lengths longer than 24', add to 24'

price as follows (for allegrades):

	2 x 10 and smaller	2 x 11 and larger
Length: 26'	\$1 2 3 5 7 9 12 15	\$1 2 5 7 9 12 15

- 12. In article IV, appendix A, table 3, footnote 1 is amended to read as follows:
- 1. S1S, S2S, S3S, S4S, Shiplap or T & G, add \$3.00.
- 13. In articles IV and V, appendices A & B, the following footnote is added under certain tables as indicated:

For grade marking in accordance with § 9A add \$1.00 per M'BM.

Inserted as footnote 14a under Table	3
3a.	4
2	4 5
2a	6
10	7
. 2	8
6a	9
7a	9A
6a	9B
16a	16
3a `	17
2	18
~ 3a	19
2	20
10 ,	21
4a	22
6a	22A
10a	22B

14. In article IV, appendix A, table 3A is added, and tables 4, 5, and 6 (exclusive of footnotes) are amended to read as

TABLE 3-A-2" PLANK AND JOISTS, DENSE STRUCTURAL SQUARE EDGE AND SOUND (1600 F)

{Rough-green}

- Sizo	Dense structural square edge and sound (1600 F)								
	8' to 16' lengths	8' to 20' lengths	18' and 20' lengths						
2 x 4" 2 x 5" 2 x 6" 2 x 8" 2 x 10" 2 x 12"	\$43 43 41 43	\$48 53	\$47 47 45 47						

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)]:

For working:

- 1. S1S, S2S, S3S, S4S, Shiplap, T & G, or Grooved two edges, add \$4.50.
- 2. Ripping or Resawing, add \$1.00 for each cut.
- 3. Beveling and/or outgauging, add \$4.00.

	2 x 4 t 2 x 8		10	2 x 12
For grade: 4. Denso Structural, add. 5. Denso Select Structural, add. 6. 85% Heart Facial Area, add to grade specified. 7. 90% Heart Facial Area, add to grade specified. 7A. For grado marking in accordance with the provisions of section 9(a), add \$1.00 per M'BM.	\$: 1	0	\$2 4 12 15	\$2 4 15 18
For length: 8. Over 20', add to 18' and 20' price for all grades: 22' and 24'	жа,	2 x 4 to 2 x 1	-	2 x 12 \$5 6 7 10 12 14

- 9. Odd or fractional lengths, over 8', shall be counted and priced as next longer even length.
- 10. For any average length, charge the price for the specified length corresponding to the average length required and shipped.
- 11. For precision cutting to a specified exact length, with tolerance of not more than 1/4" allowed, add \$1.50. No addition is permitted for customary double end trimming.

For condition:

- 12. Kiln dried, add \$4.50.
- 13. Air Dried, add \$3.50.

For size:

- 14. Odd or fractional widths, not listed, add \$3.00 to nearest greater listed width and compute footage on actual size.
- 15. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

TABLE 4—FLOORING, PI AIN END [Kiln dried—Standard lengths 1] (HEART FACE SPECIFICATIONS)

Size ·	Grade B and better	Grade O	Grado D	Grado No.·2	Grade No. 3
Edge grain— 1 x 3" 1 x 4" 5/4 x 4" Near edge grain— 1 x 3" 1 x 4" 5/4 x 3" 5/4 x 3" 5/4 x 4" Flat grain— 1 x 3" 1 x 4" 5/4 x 4" Flat grain— 1 x 3" 5/4 x 4" 5/4 x 3" 5/4 x 4"	78, 60 95, 60 93, 60 73, 60 71, 60 88, 60 86, 60	57.00 73.00 71.00 50.50 54.50 71.00	54.00 67.00 65.00 51.00 49.00 62.00 60.00 49.50 47.50	50,00 64,00 62,00 48,00 59,00 57,00 40,50 39,50 56,00	

ко н	CART SPE	CIFICAT	10N		
~	1				
Edge grain—					ļ
1 x 3"	\$65.00	\$60.00	\$47.00	\$46.00	
1 x 4"	66.00	58.00	47.00	42.00	
5/4 x 3"	 80.0 0	71.00	55.00	52,00	
5/4 × 4"	1 78.00	69, 00	53.00	50.00	
Near edge grain-		1	1		
1 x 3"	61.00	53, CO	42, 00	41, 00	.
1 x 4"		51.00			
5/4 x 3"	73 00	C4.00	70 (0	47 00	
5/4 x 4"		62, 00			
71-4	11.00	62.00	1 30.00	30000	
Flat grain—			40.00	CO 00	A
1 x 3"	51.00	52, 50 51, 00	\$0.00	42.00	(3.50, D)
1 x 4"	55.50	51. CU	30.00	29.00	32.00
5/4 x 3"	66.00	62,00	49.00	43.00	36,00
5/4 x 4"	1 64.00	CO. CO	47. CO	42.00	. 34.61
v, = = = =========		1	1	1 `	1

Table 5.—Flooring, End-Matched , Kiln Dried

HEART FACE SPECIFICATION

19" to 56" Nested and Bundled for Grades B and Better and C, 12" to 56" Nested and Bundled for Grade D

Eize '	Grado B and better	Grade O	Grade D	Grade No. 2	Grade No. 3
Edge grain— 1 x 3" 1 x 4" Near edge grain— 1 x 3" 1 x 4" Flat grain— 1 x 3" 1 x 4"	\$72,00 70,60 67,60 63,00 57,50 55,50	57. 00 56. 00 55. 00 48. 50	48.00		

NO HEART EPECIFICATION 19" to 90" Nested and Bundled for Grades B and Better \(\) and \(\) C

12" to 66" Nested and Bundled for Grade D
9" to 96" Nested and Bundled for Grades No. 2 and No. 3

1 4			I
11 43.00	500, 00 (\$33, 00 (\$43, 00) \$43, 00 \$41, 00	3	
200	n—	g	
		1	
3] 37.00 3] 23.00	45.00 42.00 37. 44.00 41.00 53.	0 835 W 0) 34.00	27.00
ì	45.00 42.0 41.00 41.0	29 37.0 20.0	0 37.00 83.00 30 23.00 31.00

15" TO 16" LINEAL AVERAGE, MESTED AND BUMBLED

Flat grain— 1 x 3"	838,00	Sz. 00	23.00	83,69	20.00
	37,00	101.00	82.00	27.00	831.00

12" TO CG" NESTED AND DUNDLED

Flat grain— 120 or 58 x 5" 120 or 58 x 4"	941, 50	87.00	er 00	32.00	803.00
	38, 50	82.00	22 00	32.00	23.00

TABLE 6.—SIDING, CEILING, PARTITION [Kiln Dried—Standard Lengths 4]

	Orade B and better	Grade O	Grade D	Urade Ne. 2	Grade No. 3
Drop Siding: 1 x 6" Patterns 115, 117, 118, 119.	840	£4;	£44	\$32.10 1	 {22:00
1 x 6" All other patterns (except 116)	[57	[[4	45	42.09	25.00
1x8" All Patterns (except	E7	. E1	45	42.00	22.00
1 x 10" All Patterns (except 116)	C	: 23	. 4 S	43.50	. ca.co
Bevel Siding: \$8" x 4", 5", 6" and 8" \$5" x 4", 5", 6" and 8" Equare Edge Siding:	43 23	43 29	37 37	2.00 22.00 23.00	
14" x 4", 6" and 8", 818, 828, 838, 848. Ceiling—Standard Bead er	. 44	(23	33.K	21.00
V, SIS or S2S: 516 and 716x3" and 4" 516 and 716x6" 916x3" and 4"	31 41 41	33	85550	29. U 31. U 31. U 33. U	200
9fex5" and 6" 13fe to 25fex3" and 4" 13fe to 25fex6" and 6"	42	2 49 9 49 0, 43) CO. (4	

Table 6.—Siding, Ceiling, Partition—Coll. [Kiln Dried—Standard Lengths]

	trade Band better	Grada O	Grade D	Grade No. 2	Grade No. 3
Partition—Standard Beed or V: 13/cx4' 24x4' 24x5'	843	\$15	\$33	\$26,00	\$23,00
	51	45	41	23,00	25,00
	64	51	41	37,00	25,00
	64	53	43	39,00	27,00

15. In Article IV, Appendix A, Table 7, footnote 10 is deleted, and footnote 14 is amended to read as follows:

"Extra standard thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean or will permit clight skips as defined in paragraph 48 of 1839 Standard Specifications for Southern Pine Lumber.

16. In Article IV, Appendix A, Table 8 is amended to read as follows:

TABLE 8—END-MARCHED AND CENTER-MATCHED BOARDS AND STRIPS

(Air Dried)

12" TO 02" NESTED AND BUNDLED

Size	Orade Band better	Grade O	Grade No. 1	Grade No. 2	Gmde No. 3	Grado No. 4
1x {"	831.83 67.80 67.80	\$20.50 51.50 51.50	37 0	\$34, 50 25, 50 26, 50 36, 50	\$29,50 30,50 31,50 31,50	\$22.50 23.50 24.50 24.50

15" to 18" lineal average, nested and bundled

1x4" 1x6" 1x6" 1x8"	\$51,20 47,50 47,50	\$10,20 41,20 41,20 41,20	\$27, 60 20, 60 27, 66 23, 60	\$24,50 25,50 26,50 26,50	\$19,50 20,50 21,50 21,50	\$12.50 13.50 14.50 14.50
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17. In Article V, Appendix B, Tables 14 and 15 are amended to read as follows:

ARTICLE Y-APPENDIX B: LONGLEAF YELLOW PINE LUMBER

The maximum prices for Longleaf Yellow Pine lumber, straight or mixed carlots, f. o. b. mill, per 1,000 feet board measure, shall be

TABLE 14—BOARDS AND STRIPS

[S18, S28, S38, S48, S28 and Matched, or Shiplap, Standard or 34"; Air Dried]

Grade .	4' and 6' lengths	8' lengths	10' lengths	12' longths	14' lengths	16' lengths	18' and 20' longths	4' and 6' lengths 8' lengths 10' lengths 11' lengths
1 x 4". 1 x 5". 1 x 5". 1 x 7". 1 x 8". 1 x 9". 1 x 10". 1 x 11". Restricted random widths 1. No. 2— 1 x 2". 1 x 3". 1 x 3". 1 x 4".	49.00 53.00 40.25 4'	47.68 45.68 46.68 47.68 47.68 47.68 47.68 45.88 45.88 45.88	43.00 48.00 46.00 .47.00 .48.00 .48.00 .55.00 59.00 46.25	43.00 48.00 46.00 47.00 48.00 .48.00 .55.00 46.25	43.00 48.00 46.00 47.00 48.00 48.00 55.00 46.25	44.50 49.50 .47.50 .48.50 .48.50 .49.50 .50.50 60.75	\$48.00 49.00 45.00 45.00 49.00 49.00 50.00 50.00 50.00 50.00 50.00 48.25 43.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 45.00 46.00	No. 3— 1 x 2"
1 x 5". 1 x 6". 1 x 7". 1 x 8". 1 x 9". 1 x 10". 1 x 11". 1 x 12". Restricted random widths 1	38. 00 38. 00 38. 00 41. 00 45. 00 36. 00	!			i .	1		
Grade	4' lengths	6' and 8' lengths	10' lengths	12' lengths	14' longths	16' lengths	18' and 20' longths	coperate in the lengths conditions in the lengths conditions condi
No. 4 and dunnage— 1'x 3" 1 x 4" 1 x 5" 1 x 6" 1 x 7" 1 x 8"	\$26, 00 19, 00 26, 00 25, 00 25, 00 25, 00	\$28.00 21.00 28.00 27.00 27.00	\$29, 50 22, 50 29, 50 28, 50 28, 50 28, 50	\$30, 00 23, 00 30, 00 29, 00 29, 00	\$30, 00 23, 00 30, 50 29, 50 29, 50	\$30. 50 23. 50 31. 00 30. 00 30. 00	\$32,00 25,00 33,00 32,00 32,00 32,00	No. 4 and dunnage—Continued 1 x 9" 20. 00 528, 00 31, 00 531, 00 531, 00 532, 00 334, 1 x 10" 1 x 10" 20. 50 28, 00 31, 00 31, 00 31, 00 32, 00 32, 00 32, 01 3

Restricted random widths are 4" to 12" inclusive, and must not contain over 20% of 4", and not less than 20% of 10" and wider.

Additions and deductions per 1,000 feet board measure. [See section 14 (b) (10)]: For working:

- 1. Rough, deduct \$4.50.
- 2. End-Matching, add \$2.00.
- For any other matcher dressing not otherwise provided for (except V-Joint, ECB1S, ECB2S), add \$2.00. Patterns requiring moulder work, add \$6.50.
- 4. Ripping, add \$1.00 for each cut; resawing, add \$2.00 for each cut, both applicable only when machine run product is shipped.

For grade:

- For grade marking in accordance with the provisions of section 9 (a), add \$1.00 per M'BM.
- No. 1 Common 85 or 90% Heart Facial Area, add \$20.00.
- 7. No. 2 Common 85 or 90% Heart Facial Area, add \$12.00.

For condition:

- 8. Kiin dried, add \$1.00.
- 9. Green, deduct \$3.50.

For length:

10. Random lengths must average at least 12' (with a tolerance of 3'') and must take the 12' price.

For length—Continued.

- 11. Restricted Random lengths, 10' to 16' or longer all grades, and 8' to 16', or longer, No. 2 or lower grades, charge the specified length price for the lengths actually shipped.
- For any average length, charge the price for the specified length corresponding to the average length required and shipped.
- 13. For precision cutting to a specified exact length, with tolerance of not more than '\(\frac{3}{2}\)' allowed, add \$1.50. No addition is permitted for customary double end trimming.
- 14. Odd or reactional lengths over 4', not listed, shall be counted and priced as the next longer even length.
- 15. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even multiple length up to 12'. If there is no even multiple length 12' or shorter, charge the 12' price. In either case, add \$1.50 per M'BM. for each necessary cross cut, but the addition for precision cutting permitted in footnote 13 may not also be charged, and no total charge for such service may be greater than \$6.00 per M'BM. If length breaks on even one-half foot compute footage on actual length, otherwise compute on six inch breaks on the next break above.

For size:

- 16. Stock thinner than %", deduct \$1.00
 from the %" price for each 1/32"
 thinner than %", except when
 dressed both sides use %" price.
 However, sizes that can be resawn
 from boards or strips 1" in nominal
 thickness shall take the 1" price,
 plus the resawing addition permitted.
- 17. 13" and wider, add \$2.50 per inch or fraction thereof to 12" price and compute footage on nominal size.
- 5/4 and 6/4 No. 1 and No. 2 Common, add \$3.00.
- 19. 5/4 and 6/4 No. 3 Common, add \$2.00.
- 5/4 and 6/4 No. 4 Common and Dunnage, add \$1.00.
- 21. Extra Standard Thickness, thicker than
 American Lumber Standards (for
 yard stock), add \$1.00 where stock
 is dressed clean or will permit slight
 skips as defined in Paragraph 48 of
 1939 Standard Specifications for
 Southern Pine Lumber.
- 22. For an average width, charge the price that would have been charged had the buyer ordered the various widths which were shipped.
- Random widths (other than restricted random widths), each width shall be priced at the specified width price.

TABLE 15-DIVERSION

[318, 828, E38, E48, air drivil]

Grede	4' longths	d' longths	8' lengths	o' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' lengths	20' lengths	22' and 24' lengths	Grade	4' lengths	G' lengths	8' lengths	o' tengths	10' lengths	12' lengths	14' Jengths	16' lengths	18' lengths	20' lengths	22, and 24, lengths
No. 1— 2x2" 2x3" 2x4" 2x5" 2x6" 2x10" 2x12" No. 2— 2x2" 2x4" 2x5"	\$36 34 38 41 35 35 41 47 33 32 37 39	\$36 34 38 41 35 35 41 47 33 32 37	\$43 41 44 48 42 42 48 54 54 54 39 38 43 45	\$44 445 454 455 455 45 61 \$39 44 48	\$42 41 43 50 42 43 50 57 88 89 42 47	\$42 41 431 42 43 51 57 83 42 47	844324388 8344 844344388 8344	\$44 42 45 43 44 44 61 40 49 48	#447055500 4490	244848888, 8468	99328521 4494	No. 2—Cen. 2x6" 2x x 6" 2x x 6" 2x x 4" 2x x 4	zass unkakusa	ะยวว ธรรรหหล	<u> </u>	# + 45 อเก็บผลวิลล	# 944 338853355	2444 81856855	\$444 AASBEES	# 4 48 88888888	អូមទន ននននងន	##50	\$45 45 55 55 55 55 55 55 55 55 55 55 55 5

Additions and deductions per 1,000 feet board measure [See section 14 (b) (10)].

For working:

1. Rough, deduct \$4.50.

- 2. Ship ap, center matched, dressed and matched, grooved, or any other matcher dressing not otherwise provided for, add \$1.00. Patterns requiring moulder work, add \$6.50.
- 3. Ripping or resawing, add \$1.00 for each cut, both applicable only when ma-chine run product is shipped.
- 4. End-matched and center matched, add \$4.00.

For grade:

- 5. No. 2, 1050 F, Par. 333, add \$2.50 to No. 2 Common prices.
- 6. No. 1 Common and No. 2 Common, 85 or 90% Heart Facial Area, sizes 2 x 2 to 2 x 8, add \$15.00.
- 7. No. 1 Common and No. 2 Common, 85 or 90% Heart Facial Area, sizes 2 x 10 and 2 x 12, add \$20.00.
- 8. For grade marking in accordance with the provisions of section 9 (a), add \$1.00 per M'BM.

For condition:

- 9. Kiln dried, add \$1.00.
- 10. Green, deduct \$3.50.

For size:

- 11. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean, or will permit slight skips as defined in Par. 48 of 1939 Standard Specifications for Southern Pine Lumber.
- 12. Odd or fractional widths, not listed, add \$3.00 to nearest greater listed width and compute footage on nominal

For length:

- 13. Random lengths must average at least 14' (with tolerance of 3") and must take the 14' price.
- 14. For any average length, except 9', charge the price for the specified length corresponding to the average length required and shipped. Where a 9' average is required charge the 8' price.
- 15. For precision cutting to a specified exact length, with tolerance of not more than '4" allowed, add \$1.50.

 No addition is permitted for customary double end trimming.
- 16. Odd or fractional lengths over 4', not listed, shall be counted and priced as the next longer even length.

For length-Continued.

- 17. For any length shorter than 4', cut to a specified exact length, charge the price of the nearest even mul.iple length up to 12'. If there is no even multiple length 12' or chorter, charge the 12' price. In either case, add \$1.50 per M' BM. for each necessary cress cut, but the addition permitted in footnote 15 for precision cutting may not also be charged, and no total charge for such cervice may be greater than 86.00 per M' BM. If length breaks on even one-half feet, compute footage on actual length, otherwise compute on six inch breaks on the next break above.
- 18. Lengths longer than 24', add to 24' price as follows (for all grades):

Length:	
26,	62.00
28'	
30'	6.03
32'	10.03
34'	14.00
36'	18.00
38′	24.00
40′	30.00

- 18. In Article V, Appendix B, Table 16, footnote 1 is amended to read:
- 1. S1S, S2S, S3S, S4S, Shiplap or T & G, add
- 19. In Article V, Appendix B, Table 16A is added, and Tables 17, 18, 19, and 20 (exclusive of footnotes) are amended, to read as follows:

Toble 16-A-2" Plank and Joists, No. 1 Structural and '65 Merchantable

[Rough-green]

	No. 1 structural and '25 mer- chantable							
Sizo	8' to 14' lengths	16', 15' and 20' lengths	22'and24' length3					
2x 4" 2x 6" 2x 6" 2x 8" 2x 10"	\$47 47 40 40 40 67	\$49 42 43 43 43 63	\$33 63 64 64 62 72					

Additions and deductions per 1,000 feet board measure: [See section 14 (b) (10)]. For working:

- 1. SIS, S23, S3S, S4S, Shiplap, T & G, or Grooved two edges, add \$4.50.
 - 2. Ripping or Recawing, add \$1.00 for each cut.
- 3. Eeveling and/or outgauging, add \$4.00. For grade:
- 4. Structural Square edge and sound, add
 - 5. Merchantable Structural, add 8503. 6. '03 Prime, 8" and over, add 83.09.
- 7. '05 Frime, under 8", add \$10.00. 8. Prime Structural, add as follows:
 - 24' and under_____ \$13.00 25' to 30'_____ 17. 60 31' to 40'_____ 23.00
- 9. Select Structural, add as follows: 22' and under \$30.00 25' to 30' \$5.00 31' to 40' 40.00
- 10. For grade marking in accordance with the provisions of section 9 (a), add \$1.00 per
- M'BM.

- For length: 11. 25' to 30', add \$1.00 per lineal foot to
 - 24' price.

 12. 31' to 36', add \$2.00 per lineal foot to 30' price.
- 13. 37' to 42', add \$3.00 per lineal foot to 36' price.
- 14. Cdd or fractional lengths over 8' shall be counted and priced at next longer even length.
- 15. For any average length, charge the price for the specified length corresponding to the average length required and chipped.
- 16. For precision cutting to a specified exact length, with tolerance of not more than 3/2" allowed, add \$1.50.
 No addition is permitted for customary double end trimming.

For condition:

- 17. Kiln dried, add 84.50.
- 18. Air dried, add 83.50.

For size:

- 19. Odd or fractional widths, not listed, add \$3.00 to nearest greater listed width and compute footage on actual size.
- 20. Extra Standard Thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean, or will permit slight okips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

TABLE 17 .- FLOORING, PLAIN END [Kiln dried-Standard lengths 1] HEART FACE SPECIFICATION

,	Grade B and better	Grado O	Grade D	Grade No. 2	Grade No. 3
Edge grain— 1 x 3". 5/4 x 3". Near edge grain— 1 x 4". 6/4 x 3". 6/4 x 4". Fiat grain— 1 x 3". 6/4 x 4". Fiat grain— 1 x 3". 6/4 x 4". \$95.00 93.00 117.00 115.00 88.00 86.00 110.00 103.00 73.00 95.00	73.00 71.00 93.00 91.00 65.00 63.00 85.00	58 56 73 71 53 51 58	56 54 71 69		

NO HEART SPECIFICATION

Edge grain-			1	i	
1 x 3"	\$75,00	\$67.00	\$55	\$51	
1 x 4"	73.00	65.00	53	51	
5/4 x 3"	100.00		53 63	61	
5/4 x 4"	98.00		61	59	
Near edge grain-				- 1	
1 x 3"	68,00		50	46	
1 x 4"	66.00		50 48 58 56	46	
5/4 x 3"	93.00		58	56	
5/4 x 4"	91.00	76.00	56	51	
Flat grain-		l			
1 x 3"	58.00	55.00	43	42	\$35
1 x 4"	56.50	53.50	43 50	40	33 37
5/4 x 8"	73.00		50	45	. 37
5/4 x 4"	72.00		48 38	40 45 43 36	35
9/16 x 4"	45.00	43.00	38	36	30
·	<u> </u>	<u> </u>			<u> </u>

TABLE 18-FLOORING, END-MATCHED [Kiln dried]

HEART FACE SPECIFICATION

19" to 96" nested and bundled for grades B and better and O, 12" to 96" nested and bundled for grade D, 9" to 96" nested and bundled for grade No. 2.

·	Grade B and better	Grade O	Grade D	Grado No. 2	Grade No. 3
Edge grain—	1				
Edge grain— 1 x 3"	885	\$71	\$54	l	
1 x 4"	\$85 83	69	\$54 52		
Near edge grain— 1 x 3" 1 x 4"	1				
1 x 3"	80	68	51	l	
1 x 4"	80 79	68 67	51 50		
Flat grain—	l	ì	ł		
Flat grain— 1 x 3"	64 61	55 52	52 49	\$47 46	l
1 x 4"	61	52	49	AR	

NO HEART SPECIFICATION

19" to 96" Nested and Bundled for Grades B and Better and C, 12" to 96" Nested and Bundled for Grade D, 9" to 98" Nested and Bundled for Grades No. 2 and

77.1				_	<u> </u>
Edge grain 1 x 3	ect	\$58	\$ 46		ı
1 x 4	\$65 63	56	44		
None odgo grain—	w	90	33		
Near edge grain— 1 x 3"	60	55	43		
1 x 4"	60 59	55 54	43 42		
Flat grain— 1 x 3"		'-			
1 x 3"	47	44 43	42	\$37 36	\$27 26
1 x 4"	46	43	41	36	26
		i .	Į.	l	

TABLE 19.—SidING, CEILING, PARTITION [Kiln dried-Standard lengths]

	Grado B and better	Grado O	Grade D	Grade No. 2	Grade No. 3
Drop siding:					1
1 x 6" patterns 115, 117, 118, 119 1 x 6" all other patterns (except	\$48	\$45	\$44	\$42	\$34
116)	57	54	50	44	35
1x8" all patterns (except 116)	57 57	54 54	50	44	35
Bevel siding:	[1 :	1	(
56x 4", 5", 6" and 8"	45	42	36 31	33 29	25 22
36x4", 5", 6" and 8"	39	36	31	29	22
Square edge siding:				ļ	l
1/2 x 4", 6" and 8", S1S, S2S,	١	١.,		33	
\$3\$, \$4\$	44	41	37	33	21
Ceiling—Standard bead or V: 516 and 316 x 3" and 4" SIS.	37	35	30	29	21
%6 and %6 x 6" S18	39	37	30	31	23
5/16 and 7/16 x 3" and 4" S2S_	40	38	32 32	32	21
%6 and %6 x 6" \$28	43	40	33	31 32 32	21 24 23 24
% x 3" and 4" S2S	41	39	34	33	23
11/16 to 25/32 x 3" and 4"	55	52	42	40	24
11/6 to 25/32 x 6"	56	53	43	41	30
Partition-Standard bead or V:	1	ľ			
11/16 to 25/32" x 3" and 4"	55	52	42	40	24
11/10 to 23/2 x 6"	56	53	43	41	80
	l	<u>L</u>	<u> </u>	<u> </u>	<u> </u>

TABLE 20-CEILING, END-MATCHED [Kiln dried-12" to 96"]

-	Grade B and better	Grado C	Grade D	Grade No. 2	Grade No. 3
56 x 4"—18" to 96" 56 x 4"—12" to 96"	\$33	\$32 		\$30	\$20

20. In Article V, Appendix B, Table 21, footnote 10 is deleted, and footnote 14 is amended to read as follows:

14. Extra standard thickness, thicker than American Lumber Standards (for yard stock), add \$1.00 where stock is dressed clean or will permit slight skips as defined in paragraph 48 of 1939 Standard Specifications for Southern Pine Lumber.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)?

Issued this 16th day of March 1944.

CHESTER BOWLES. Administrator.

[F. R. Doc. 44-3717; Filed, March 16, 1944; 11:57 a. m.]

PART 1381-SOFTWOOD LUMBER [MPR 19A]

LOG-RUN SOUTHERN PINE LUMBER

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency

Price Control Act of 1942, as amended, and Executive Orders Nos, 9250 and 9328. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1381.104 Maximum prices for logrun Southern pine lumber. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 19A (Log-run Southern Pine Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1381.104, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 19A-Log-Run SOUTHERN PINE LUMBER

CONTENTS

Sec.

Maximum prices. What are "small mills."

What lumber is covered.

Delivery.

Special permission to price on grade. Special permission for other mills to sell log-run.

Prohibitions and enforcement,

Records.

9. Prohibited practices.

SECTION 1. Maximum prices. The maximum price for rough shortleaf Southern pine lumber sold by "small mills" is \$32 per M'BM for boards, \$29 for dimension, and \$28 for small timbers. This includes delivery for 30 miles or less. Sec. 2. What are "small mills." By

"small mills" is meant sawmills which have no planing mills or which usually sell their lumber rough, and which cut 4,000,000 feet or less of Southern pine lumber in 1943.

Sec. 3. What lumber is covered. These prices are for log-run lumber, green or dry. Log-run must include the full range of grades, widths and lengths (of the log-run sizes) as they come from the log, with culls out. If you take out any of the better grades or larger sizes, the maximum price is \$20 per M'BM.

"Boards" means lumber cut to dry 4/4, 5/4 and 6/4.

"Dimensions" means lumber cut to dry

7/4 and 8/4, including structural.
"Small timbers" means lumber cut to dry over 2 inches in thickness, and up to 8 x 8".

SEC. 4. Delivery. If you make delivery over 30 miles, you can add 10 cents per M for each mile over 30 and up to 100 miles.

^{*}Copies may be obtained from the Office of Price Administration.

with no addition for the return trip. For example, if you deliver 50 miles, you can add \$2.00 per M. If you make delivery over 100 miles, you can add only the carload rail freight for the whole distance from the nearest rail loading-out point to destination.

If the buyer makes the pick-up at the sawmill, the regular log-run price must

be reduced \$2.50 per M.

SEC. 5. Special permission to price on grade. If you want to price on grade (under Second RMPR 19), you may apply to the Lumber Branch, O. P. A., Washington, D. C., for special permission; but you must show that you have priced on standard grades in the past, that you have inspectors of your own who are qualified to grade, that your operation is so set up that you have the time and the equipment to do a good grading job on a piece-by-piece basis, and that it is necessary for you to sell graded lumber to meet your buyers' requirements.

If you get permission to price on grade, however, you must sell all your lumber on

grade.

Sec. 6. Special permission for other mills to sell log-run. Mills not under this Log-Run Regulation can get special permission to price on the log-run basis by writing to the Lumber Branch, O. P. A., Washington, D. C. Thereafter they may not price any lumber in the log-run sizes on graded lumber prices.

SEC. 7. Prohibitions and enforcement. It is unlawful to sell, deliver, buy or receive lumber at prices above the maximum, or to offer to do any of these things. Of course, prices under the ceil-

ing may be charged and paid.

Violators are subject to criminal penalties, civil enforcement actions, suits for treble damages, and suspension of licenses. For example, if you take out some higher grades from a log-run assortment, you would be subject to treble damages of \$24 per M' or more.

SEC. 8. Records. You must keep either invoices or tally and settlement sheets,

for two years.

SEC. 9. Prohibited practices. Any practice which is a way of getting more than ceiling without actually raising the price is as much a violation as an overceiling price.

This regulation shall become effective March 16, 1944.

Note: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of March 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-3718; Filed, March 16, 1944; 11:56 a. m.]

Chapter XIX—Defense Supplies Corporation

[Rev. Reg. 1, Amdt. 4]

PART 7001—PETROLEUM COMPENSATORY ADJUSTMENTS .

COMPENSABLE PRODUCTS AT ACTUAL ORIGIN

Revised Regulation Number 1 of Petroleum Compensatory Adjustments,

issued by Defense Supplies Corporation on March 20, 1943, is amended as follows:

In section 7001.5 Extra transportation and compensable product costs, paragraph (b) (1) Value at the actual origin, is amended by changing the proviso clause thereof to read as set forth below:

Provided, That the value of compensable products at the actual origin, excepting compensable products transported through the War Emergency Pipeline System and purchased from Defense Supplies Corporation, shall not exceed the lower of the prices determined as follows:

- a. If the actual origin is in District Three, the value of similar compensable products at the normal origin as determined under the provisions of paragraph (b) (ii) of this section.
- b. The applicable ceiling price for such compensation products in effect on date of shipment.
- c. The prevailing market price. Upon the request of Defense Supplies Corporation the applicant shall obtain and submit to Defense Supplies Corporation such evidence as may be requested in support of the prevailing market price.

This amendment No. 4 to this Revised Regulation Number 1 shall become effective as of February 1, 1944.

Issued this 24th day of February, 1944.

Defense Supplies Corporation,
George H. Hill, Jr.,

Executive Vice President
and General Counsel.

[F. R. Doc. 44-3651; Flied, March 16, 1944; 10:13 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office [Circ. 1569]

PART 160-GRAZING LEASES

LANDS REQUIRED BY AGENCIES OF FEDERAL GOVERNMENT

The regulations authorizing the issuance of grazing leases contained in Part 160 are amended as follows:

- (a) Section 160.22 is amended by adding the following sentence at the end thereof: "Any agency of the Federal Government which needs lands embraced in a grazing lease for governmental use other than one described in paragraph (c) (2) of the lease (§ 160.30) and requests a permit, withdrawal, reservation, lease or patent shall be considered an applicant within the meaning of this section."
- (b) The attached form of grazing lease, 4-722a, is approved and substituted for the form contained in § 160.30.

FRED W. Johnson, Commissioner.

Approved: March 8, 1944. Oscar L. Chapman, Assistant Secretary. 4-722 c

To be executed in quadruplicate

UNITED STATES

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

LEASE OF LANDS FOR GRAZING LIVESTOCK

Scrial.

This indenture of lease, entered into as of by and between the United States of America, hereinafter called the leaser, by the Commissioner of the General Land Office, and of

(Name of Applicant)
..., hereinafter called the

(Post-office Address)
lesse, pursuant and subject to the terms and provisions of section 15 of the act of Congress approved June 28, 1934 (48 Stat. 1269, 1275), as amended June 26, 1936 (49 Stat. 1976, 1978, 43 U. S. C. sec. 315m).

That the lemor, in consideration of the

Witnesseth:

rents to be paid and the covenants to be ob	i
cerved, does hereby grant and lease to th	E
leacee the exclusive right and privilege of	ď
using for grazing purposes the following	:
described land	_
********************************	_
	Τ
	_

containing approximately ____ acres, for a period of ____ years.

period of ____ years.
Section 1. In consideration of the foresolute the lesses hereby agrees to:

- going, the lessee hereby agrees to:

 (a) Pay the lesser as annual rental the cum of 8_____. The rental may be adjusted at the end of the third year of the lease and at three-year intervals thereafter. If at the date of any adjustment of the rental, the leace will expire within less than three years, such adjustment shall be effective for the unexpired term of the lease. When the annual rental amounts to \$10 or more, the lessee may elect to make payment in two equal installments. One-half of the first year's rental must be paid prior to the execution of the lease and the remaining one-half must be paid within six months after the date of execution. For the second and each succeeding year of the lease one-half of the rental must be paid on or before each annivercary of the lease and the unpaid balance must be paid within six months from said annivercary. When the annual rental is less than 610, the first year's rental must be paid in full prior to the execution of the leace and annually thereafter on or before each annivercary of the lease.
- (b) Use the lands in a manner that will not cause overgrazing or soil erosion, or be detrimental to the lands or the livestock industry.
- (c) Observe the laws and regulations for the protection of game animals, game birds, and non-game birds, and not unnecessarily disturb such animals or birds.
- (d) Comply with the provisions of the laws of the State in which the leased lands are cituated with respect to the cost and maintenance of partition fences.
- (e) Allow authorized representatives of the Department of the Interior at any time to enter the leased premises for the purpose of inspection, and allow Federal agents, including game wardens, at all times to enter the leased area on official business.

No. 55---7

- (f) Take all reasonable precaution to prevent and suppress forest, brush, and grass
- Comply with all Federal and local laws regarding sanitation and take such other sanitary measures as may be necessary.

(h) Use no part of the leased premises for

any purpose foreign to grazing.

(i) Retain ownership or control of any lands that have been recognized as the basis for a preference right.

Section 2. The lessor expressly reserves the

right to:

- (a) Permit prospecting, locating, developing, mining, entering, leasing, or patenting the mineral resources, the disposition of such resources under any laws applicable thereto, and permit the use and disposition of timber on the lands embraced in this lease, under existing laws and regulations.
- (b) Close portions of the leased area to grazing whenever, because of drought, epi-demic or disease, incorrect handling of the stock, overgrazing, fire, or other cause, such action is deemed necessary to restore the range to its normal condition. However, such temporary closing of any area shall not operate to exclude such area from the boundaries of the lease.
- (c) Reduce the leased area if it is excessive for the number of stock owned by the lessee, or if it is determined that such area is required for the protection of camping places, sources of water supply to communities, stock driveways, roads and trails, town sites, mining claims, and for feeding grounds near villages for the use of draft animals or near the slaughtering or shipping points for use of stock to be marketed. However, a propor-tionate reduction will be made in the annual rental charges.
- (d) Classify and permit entry, selection, or location under the provisions of section 7 of the act of June 28, 1934 (48 Stat. 1269, 1272) as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315f), of any part or all of the leased lands, provided that before the allowances of any application therefor the applicant shall agree, subject to the approval of the Commissioner of the General Land Office, to compensate the lessee in accordance with the regulations, 43 CFR 160.22. Any agency of the Federal Government which needs any part or all of the leased lands for a governmental use other than one described in subsection 2 (c) and requests a permit, withdrawal, reservation, lease or patent shall be considered an applicant within the meaning of this subsection.

Section 3. It is further understood and agreed that:

(a) This lease is granted subject to valid existing rights and to all present and future rules and regulations of the Secretary of the Interior. Nothing herein contained shall restrict the acquisition, granting, or use of

permits or rights-of-way under existing law.
(b) The lessee shall not sell or remove for use elsewhere any timber growing on the leased land but may take such timber thereon as may be necessary for the erection and maintenance of improvements required in the operation of this lease. Before taking timber, the lessee must obtain a permit in accord-ance with the regulations, 43 CFR 284.41.

- (c) The lessee may construct, or maintain and utilize any fence, building, corral, reservoir, well, or other improvements needed for the exercise of the grazing privileges of this lease, but any such fence shall be so constructed as to permit ingress and egress for miners, prospectors for minerals, and other persons entitled to enter such area for lawful
- (d) Upon cancellation of this lease for any reason or upon termination thereof, the Commissioner of the General Land Office may, in his discretion and upon a written petition filed by the lessee within 30 days from date of

- the cancellation or termination, require a subsequent lessee, prior to the execution of a new lease, to reimburse the former lessee a reasonable amount for any grazing improvements of a permanent nature that may have been placed upon the leased lands during the period of the lease. The decision of Commissioner will be subject to the right of appeal to the Secretary of the Interior. As to any improvements not disposed of in the manner set forth above, the lessee will be allowed three months from the date of cancellation or termination of the lease within which to remove such improvements, but, if not removed or other disposition made within the said period, such improvements shall become the property of the United States.
- (e) If the lessee shall default in the performance or observance of any of the terms, covenants, and stipulations hereof or of the general regulations now or hereafter in force, and such default shall continue 60 days after service of written notice thereof by the lessor, then the lessor may terminate and cancel this lease.
- (f) The lessee shall not assign this lease or any interest therein, nor sublet any portion of the leased premises without the written consent of the Commissioner of the General Land Office.
- (g) The leased lands shall be subject to entry for hunting and fishing by any person under applicable State or Federal hunting and fishing laws and regulations, but in any event the Commissioner may prohibit or re-strict or he may authorize the lessee to prohibit or restrict hunting or fishing on such parts of the leasehold and for such periods as he may determine to be necessary in order to prevent any substantial interference with the purpose for which the lands are leased, that is, grazing.

(h) The lessee may, on consent of the Commissioner of the General Land Office first had and obtained, surrender and terminate this lease or any legal subdivision of the area included within the lease provided all rental payments due have been made.

(i) No Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and no officer, agent or employee of the Department of the Interior, other than members of the district advisory boards, appointed in accordance with section 18 of the Taylor Grazing Act, which was added by the act of July 14, 1939 (53 Stat. 1002, 43 U.S.C. sec. 315,-1) shall be admitted to any share or part in this lease, or derive any benefit that may arise therefrom, and that the provisions of section 3741 of the Revised Statutes and sections 114, 115, and 116 of the Criminal Code, approved March 4, 1909 (35 Stat. 1109, 18 U.S.C. sec. 204), relating to contracts, enter into and form a part of this lease so far as the same may be applicable.

It is further covenanted and agreed that each obligation hereunder shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, and assigns of the respective parties hereto.

In witness whereof:

THE UNITED STATES OF AMERICA. Commissioner of the General Land Office. Lessee Witnesses to signature of lessee:

[F. R. Doc. 44-3650; Filed, March 16, 1944; 10:13 a. m.]

TITLE 49-TRANSPORTATION AND RAILROADS

. Chapter I-Interstate Commerco Commission

[S.O. 184, Amdt. 1]

PART 95-CAR SERVICE

REQUIREMENTS CONCERNING BILL OF LADING ON CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 15th day of March, A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, and good cause appearing therefor: It is ordered, That:

Service Order No. 184 (9 F.R. 2613) of March 3, 1944, 49 CFR, § 95.333, be amended by striking from the last ordering paragraph the clause "That this order shall become effective at 7:00 a. m., March 16, 1944:" and inserting in lieu thereof the following clause: "That this order shall become effective at 7:00 a. m., April 3, 1944;". (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U.S.C. 1 (10)-(17).

It is further ordered, That this order shall become effective at 7:00 a. m., March 16, 1944; that copies of this order and direction shall be served upon each State railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the rail-roads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL. Secretary.

[F. R. Doc. 44-3652; Filed, March 16, 1944; 11:01 a. m.]

Chapter II-Office of Defense Transportation

[G. O. ODT 38A, Revocation]

PART 502-DIRECTION OF TRAFFIC MOVE-MENT

CARLOAD AND TRUCKLOAD SHIPMENTS TO OR THROUGH DOMINION OF CANADA

Pursuant to Executive Orders 8989, as amended, and 9156, General Order ODT 38A (8 F.R. 9067) is hereby revoked, effective March 15, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 14th day of March 1944.

> C. D. Young, Deputy Director. Office of Defense Transportation.

[F. R. Doc. 44-3644; Filed, March 16, 1944, 10:05 a. m.]

[A. O. ODT 2A, Revocation]

PART 503—ADMINISTRATION

PROCEDURES FOR APPLICATION FOR AND ISSU-ANCE OF ODT SHIPPING PERMITS

Pursuant to General Order ODT 38A, Administrative Order ODT 2A (8 F.R. 9068) is hereby revoked, effective March 15, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; Gen. Order ODT 38A, 8 F.R. 9067)

Issued at Washington, D. C., this 14th day of March 1944.

> HENRY F. McCarthy, Director. Division of Traffic Movement, Office of Defense Transportation.

[F. R. Doc. 44-3645; Filed, March 16, 1944; 10:05 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

CARL R. BULLOCK

DESIGNATION AS PERSON TO HOLD HEARINGS,

The name of Carl R. Bullock is hereby added to the list of persons appearing in paragraph (A) of the "Designation of Persons to Hold Hearings, to Sign and Issue Subpenas, and to Administer Oaths or Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592); and the said Carl R. Bullock is authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 15th day of March 1944.

ASHLEY SELLERS, Assistant War Food Administrator. CLAUDE R. WICKARD, Secretary of Agriculture.

[F. R. Doc. 44-3675; Filed, March 16, 1944; 11:32 a. m.]

INTERSTATE COMMERCE COMMIS-SION.

[S. O. 70-A Special Permit 132]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILLINOIS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 13, 1944, by Christ Hansen Company of car FGE 19158, potatoes, now on the Wood Street Ter-minal, to Madison, Wisconsin. The waybill shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

> HOMER C. KING, Director. Bureau of Service.

[F. R. Doc. 44-3657; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 70-A, Special Permit 133] RECONSIGNMENT OF COLLARDS AT CHICAGO,

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 13, 1944, by W. W. Adams, La Mantia Brothers Arrigo, of car NRC 4438, collards, now on the

Wabash Railroad, to St. Louis, Microuri.
The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

> HOMER C. KING. Director, Bureau of Service.

[F. R. Doc. 44-3658; Filed, March 16, 1944; 11:01 a. m.]

[S.O. 70-A, Special Permit 134]

RECONSIGNMENT OF POTATOES AT St. Louis, Mo.

Pursuant to the authority vested in me by pargaraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Miccourl, March 13 or 14, 1944, by A. M. Macheca and Company of car FGE 46203, potatoes, now on the Wabash Railroad to West Frankfort, Illinois.

The waybill hall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

> HOMER C. KING, Director. Bureau of Service.

[F. R. Doc. 44-3659; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 178, Special Permit 69]

Loading of Shortening at Memphis, Tenn.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with shortening by The Humbo Company at Memphis, Tennessee, and the movement of the one refrigerator car to loaded from that point March 14, 1944, to Loce-Wiles Biccuit Company, Long Island City, New York. (IC) The waybill shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

> HOMER C. KING. Director, Bureau of Service.

[F. R. Doc. 44-3653; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 178, Special Permit 70] *

LOADING OF PACKAGED CHEESE AND SPREAD AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 incofar as it applies to the loading of two refrigerator cars with cheese and spread in packages and jars by the Kraft Cheese Company at Freeport, Illinois, and the movement of the two refrigerator cars so loaded from that point March 14, 1944, to Pittsburgh, Pennsylvania, and to Charleston, West Virginia. (CMStP&P)
The waybilis shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1944.

> HOMER C. KING, Director, Bureau of Service.

[F. R. Doc. 44-3654; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 178, Special Permit 71]

LOADING OF LARD AT OTTUMWA, IOWA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F. R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Orvice Order No: 178 insofar as it applies to the loading of one refrigerator car with lard by Morrell Packing Company at Ottumwa, Iowa, and the movement of the one refrigerator car so loaded from that point not later than March 18, 1944, to New Orleans, Louisiana, for ex-

port to Cuba. (CB&Q-GM&O)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of March 1944.

> HOMER C. KING. Director. Bureau of Service.

[F. R. Doc. 44-3655; Filed, March 16, 1944; 11:01 a. m.]

[S. O. 178, Special Permit 72]

LOADING OF SHORTENING AT BERKELEY, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car PFE 73495 with shortening by Durkee's Famous Foods at Berkeley, California, and the movement of that car so loaded from that point not later than March 16, 1944, to Portland, Oregon. (SP) The waybills shall show reference to this

special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of March 1944.

> HOMER C. KING, Director, Bureau of Service.

[F. R. Doc. 44-3656; Filed, March 16, 1944; 11:01 a. m.]

OFFICE OF DEFENSE TRANSPORTA-TION.

> [Special Order ODT LB-13A] COMMON CARRIER BY BUS AKRON, OHIO

Pursuant to Executive Orders 8989, as amended, 9156 and 9294, and the act of May 31, 1941, as amended by Title III of the Second War Powers Act, 1942 (56 Stat. 176), and in order to assure the orderly and expeditious movement of necessary passenger traffic and to conserve and providently utilize manpower and existing transportation facilities and service, the attainment of which purposes is essential to the successful prosecution of the war, and after being satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of rubber-borne transportation equipment and facilities for defense and for private account, It is hereby ordered, That:

1. Akron Transportation Company. Akron, Ohio (hereinafter called "carrier"), in the transportation of passengers as a common carrier by bus in the city and suburbs of Akron, Ohio, shall

not operate buses over: (a) Those sections of its bus route described in the appendix hereto and designated as route 4 "York-Tallmadge" from the intersection of Howard Street and Main Street, over Main Street to York Street, over York Street to Dayton Street, and over Dayton Street to Glenwood Avenue, from the intersection of Fouse Avenue and Damon Street, over Damon Street to Evans Avenue, over Evans Avenue to Nevin Street, and over Nevin Street to Glenwood Avenue, and from the intersection of Patterson Avenue and Tallmadge Avenue, over Tallmadge Avenue to Main Street, and over Main Street to York Street;

(b) That section of its bus route described in the appendix hereto and designated as route 6 "Goodyear Heights" from the intersection of Malasia Road and Sumatra Avenue, over Sumatra Avenue to Hampton Road, over Hampton Road to Brittain Road, and over Brittain Road to Malasia Road;

(c) Those sections of its bus route described in the appendix hereto 1 and designated as route 11 "Inman" from the intersection of South Main Street and Mill Street, over Mill Street to Broadway, over Broadway to Center Street, over Center Street to Buchtel Avenue, over Buchtel Avenue to Spicer Street, over Spicer Street to Carroll Street, over Carroll Street to Brown Street, over Brown Street to Exchange Street, and from the intersection of Lovers Lane and Merton Avenue, over Lovers Lane to Talbot Street;

(d) Those sections of its bus route described in the appendix hereto and designated as route 12 "Brown" from the intersection of Buchtel Avenue and Ellwood Street, over Buchtel Avenue to Spicer Street, over Spicer Street to Carroll Street and over Carroll Street to Ellwood Street, and from the intersection of Greenlawn Avenue and Catawba Street, over Catawba Street to South Firestone Boulevard, over South Firestone Boulevard between Dresden Avenue and Aster Avenue, over Aster Avenue to Reed Street, and over Reed Street to Brown Street:

(e) Those sections of its bus route described in the appendix hereto and designated as route 14 "Waterloo" from the intersection of Firestone Parkway and Emerling Avenue, over Emerling Avenue to Main Street, over Main Street to Cole Avenue, and from the intersection of Miller Avenue and Main Street, over Main Street to Buchtel Avenue, over Buchtel Avenue to High Street, over High Street to Center Street, and over Center Street to Main Street;

(f) That section of its bus route described in the appendix hereto and designated as route 16 "Wooster-East" from the intersection of Battles Avenue and East Avenue, over East Avenue to California Avenue;

(g) Its bus route described in the appendix hereto and designated as route 17 "Long";

(h) That section of its bus route described in the appendix hereto and designated as route 18 "Thornton" from the intersection of Manchester Road and Clearview Avenue, over Manchester Road to Rothrock Avenue;

(i) That section of its bus route described in the appendix hereto and designated as route 19 "Euclid" from the intersection of Diagonal Road and Courtland Avenue, over Diagonal Roard to Wooster Avenue, and over Wooster Avenue to a terminal east of Diana Avenue; and

(j) That section of its bus route described in the appendix hereto and designated as route 24 "Cuyahoga" from

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the intersection of Howard Street and North Street, over North Street to Stuber Street, over Stuber Street to Elizabeth Park Boulevard, over Elizabeth Park Boulevard to Lods Street, over Lods Street to Turner Street, over Turner Street to Charles Street, over Charles Street to Howard Street, over Howard Street to Lods Street, and over Lods Street to Cuyahoga Street.

2. The carrier shall:

(a) Consolidate the remaining sections of its bus route described in the appendix hereto and designated as route 4 "York-Tallmadge" by operating buses from the intersection of Howard Street and Main Street, over Howard Street to Glenwood Avenue and over Glenwood Avenue to Dayton Street, from the intersection of Fouse Avenue and Damon Street, over Fouse Avenue to Iredell Street, over Iredell Street to Glenwood Avenue and over Glenwood Avenue to Tallmadge Avenue, and over Patterson Avenue between Glenwood Avenue and Tallmadge Avenue:

(b) Operate not more than 25 per cent of the buses in service on its bus route described in the appendix hereto and designated as route 6 "Goodyear Heights" from the intersection of Malasia Road and Goodyear Boulevard, over Goodyear Boulevard to Tonawanda Avenue, over Tonawanda Avenue to Sumatra Avenue, over Sumatra Avenue to Malasia Road and over Malasia Road to Goodyear Boulevard, and terminate the trips of not less than 75 per cent of such buses at a point on Goodyear Boulevard no further north than Newton Street and operate them therefrom over Newton Street to Sumatra Avenue, over Sumatra Avenue to Malasia Road and over Malasia Road to Goodyear Boulevard;

(c) Operate buses in service on its bus route described in the appendix hereto and designated as route 11 "Inman" from the intersection of South Main Street and Mill Street, over South Main Street to Exchange Street, over Exchange Street to Brown Street, over Brown Street to South Street, over Brown Street to Johnston Street, over Johnston Street to Johnston Street, over Johnston Street to Inman Street, over Inman Street to Lovers Lane, over Lovers Lane to Merton Street, and consolidate the operation of such buses with buses operated over its bus route described in the appendix hereto and designated as route 12 "Brown":

(d) Consolidate the remaining sections of its route described in the appendix hereto and designated as route 12 "Brown" by operating buses from the intersection of Buchtel Avenue and Ellwood Street, over Ellwood Street to Carroll Street, and operate buses in service on such route from the intersection of Catawba Street and Greenlawn Avenue, over Greenlawn Avenue to Mission Drive, and over Mission Drive to Brown Street, and-consolidate the operation of such buses with buses operated over its bus route described in the appendix hereto and designated route 11 "Inman";

(e) Consolidate the remaining sections of its bus route described in the appendix hereto and designated as route 14 "Waterloo" by operating buses from the intersection of Firestone Parkway and Emerling Avenue, over Firestone

Parkway to Cole Street and over Cole Street to Main Street and operate buses in service on such route from the intersection of Main Street, Miller Avenue and High Street, over High Street to Long Street, over Long Street to Princeton Street, over Princeton Street to Thornton Street, over Thornton Street to Bowery Street, over Bowery Street to Rhodes Avenue, over Rhodes Avenue to Thornton Street and over Thornton Street to Bowery Street to Bowery Street to Street to Bowery Street;

(f) Operate not more than 55 percent of the buses in service on its bus route described in the appendix hereto and designated as route 16 "Wooster-East" from the intersection of East Avenue and Clearview Avenue, over Clearview Avenue to 13th Street, over 13th Street to Polk Avenue, over Polk Avenue to 16th Street, over 16th Street to Battles Avenue, and over Battles Avenue to East Avenue, and terminate the trips of not less than 45 percent of such buses at a point no further south than Sheridan Avenue operating them from the intersection of East Avenue and Sheridan Avenue over Sheridan Avenue to Sunrise Drive, over Sunrise Drive to Longview Avenue, and over Longview Avenue to East Avenue; and

(g) Consolidate the remaining sections of its bus route described in the appendix hereto and designated as route 24 "Cuyahoga" by operating buses and from the intersection of Howard Street and North Street over Howard Street to Cuyahoga Street, and over Cuyahoga Street to Lods Street.

3. As used herein the term "bus" means any rubber-tired vehicle used on the streets, highways, or other thoroughfares in the transportation of passengers.

4. The carrier forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs and supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

5. The provisions of this order shall be subject to any special permit issued by the Director, Division of Local Transport, Office of Defense Transportation, to meet specific needs or exceptional circumstances.

6. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Cleveland, Ohio, and should refer to "Special Order ODT LB-13A."

This order shall become effective April 3, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Special Order ODT LB-13, as amended, (8 F.R. 10454 and 11000) is hereby re-

voked as of the effective date of this Special Order ODT LB-13A.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. Young, Deputy Director, Office of Defense Transportation.

[F. R. Doc. 44-3629; Filed, March 15, 1944; 4:22 p. m.]

[Supp. Order ODT 3, Rev.-20, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN LISSOURI

Byers Transportation Company, Inc., Churchill Truck Lines, Incorporated.

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised-20 (8 F.R. 5321), filed with the Office of Dafense Transportation by Churchill Truck Lines, Incorporated, Chillicothe, Missouri, and good cause appearing therefor.

cause appearing therefor,

It is hereby ordered, That Supplementary Order ODT 3, Revised-20 be, and it is hereby, revoked, effective March 14, 1944.

Issued at Washington, D. C., this 14th day of March 1944.

C.D. Young, Deputy Director, Office of Defense Transportation.

[F. R. Doc. 44-3636; Filed, March 16, 1944; 10:05 a.m.]

[Supp. Order ODT 3, Rev.-61, Revocation]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN DELAWARE AND MARYLAND

Upon consideration of an application for revocation of Supplementary Order ODT 3, Revised-61 (8 F.R. 12366), filed with the Office of Defense Transportation by Elliott Brothers Trucking Company, Inc., Easton, Maryland, and Masten Trucking Company, Inc., Milford, Delaware, and good cause appearing therefor.

It is hereby ordered, That Supplementary Order ODT 3, Revised-61, be, and it is hereby, revoked, effective March 14, 1944.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. Young, Deputy Director, Office of Defense Transportation.

[F. R. Doc. 44-3637; Filed, March 16, 1944; 10:05 a. m.]

[Supp. Order ODT 3, Rev.-72, Corr.]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS
IN HANSAS

The Vincent Truck Lines and Yellow Transit Co.

Supplementary Order ODT 3, Revised-72 (8 F.R. 13410) is hereby corrected by inserting the following: "Edwin L. Vincent, doing business as"—in the

preamble thereof immediately preceding The Vincent Truck Lines, Wichita, Kansas."

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG, Deputy Director, Office of Defense Transportation.

[F. R. Doc. 44-3638; Filed, March 16, 1944; 10:05 a. m.]

[Supp. Order ODT 3, Rev. 197] COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN PENNSYLVANIA AND NEW YORK

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,1 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in

conflict therewith.

2. Each of the carriers forthwith shall · file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have aplied except for such

diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transpor-

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

> C. D. YOUNG, Deputy Director, Office of Defense Transportation.

APPENDIX 1

1. Daley's Blue Line Transfer Company,

Wilkes-Barre, Pennsylvania.

2. Hilton S. Fowler, doing business as Fowler & Williams, Scranton, Pennsylvania.

3. Friedman's Express, Inc., Wilkes-Barre, Pennsylvania.

4. Karn's Transfer, Inc., Hazleton, Pennsylyania.

5. Roy Ovens, doing business as Ovens Transfer, Scranton, Pennsylvania.

6. John Richards, doing business as Richards Motor Freight Lines, Scranton, Pennsylvania.

7. Rodgers Motor Lines, Inc., Scranton, Pennsylvania.

[F. R. Doc. 44-3639; Filed, March 16, 1944; 10:06 a. m.]

[Supp. Order ODT 3, Rev. 199] COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NORTH CAROLINA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947) a copy of which plan is attached hereto as Appendix 2,1 and

It appearing that the proposed co-ordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in

conflict therewith.

- 2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.
- 3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diver-
- sion, exchange, pooling, or other act.
 4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier

Filed as part of the original document.

subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D.C.

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

> C. D. YOUNG, Deputy Director, Office of Defense Transportation.

APPENDIX-1

- 1. W. G. Ray and Son (a partnership), Burlington, North Carolina.
- 2. A. C. Simpson (an individual), Burlington, North Carolina.
 3. S. J. Thomas (an individual), Burling-
- ton, North Carolina.

[F. R. Doc. 44-3640; Filed, March 16, 1944; 10:08 a. m.]

[Supp. Order ODT 3, Rev. 200]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NEW-PORT AND PROVIDENCE, R. I.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,1 and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tarlffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.
4. The provisions of this order shall

not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington,

This order shall become effective March 22, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

C. D. YOUNG, Deputy Director, Office of Defense Transportation.

APPENDIX 1

- Adley Express Company (a corporation), 216 Crown Street, New Haven, Connecticut.
- 2. John W. Deery, an individual doing businecs as C. & D. Transportation Co., 54 Bridge Street, Newport, Rhode Island.
- [F. R. Doc. 44-3641; Filed, March 16, 1944; 10:06 a. m.]

[Supp. Order ODT 20A-77]

TAXICAES

COORDINATED OPERATIONS IN JOHNSON CITY, TENN., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,2 and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Johnson City, Tennessee, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations af-

fected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his ' legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator

¹Filed as part of the original document.

named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Knoxville, Transportation, Tennessee, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A77" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Knoxville, Transportation,

Tennessee.

8. This order shall become effective March 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th day of March 1944.

> C. D. YOUNG, Deputy Director, Office of Defense Transportation.

APPENDIX 1

Deluxe Cab Co., Johnson City, Tenn. Diamond Cab Co., Johnson City, Tenn. Plymouth Cab Co., Johnson City, Tenn. Yellow Cab Co., Johnson City, Tenn. City Taxi Co., Johnson City, Tenn.

[F. R. Doc. 44-3642; Filed, March 16, 1944; 10:06 a. m.]

> [Supp. Order ODT 20A-81] TAXICABS ~

COORDINATED OPERATIONS IN JOPLIN, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2, and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Joplin, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are

in conflict therewith.

2. No supervisor, checker or other person employed by the operators shall use coercive methods in effectuating compliance with the plan, and each such person shall report to the Office of Defense Transportation all violations of orders issued by the Office of Defense Transportation applicable to taxicab operations and all failures to comply with the plan that may be observed by them. No operator participating in the plan shall be denied or refused further participation without the prior approval of the Office of Defense Transportation.

3. Section 4 (d) (9) of the plan of joint action is approved only in so far as it is administered in accordance with § 501.85

(d) of General Order ODT 20A.

4. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations af-

fected by this order.

5. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

6. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

7. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation be-

yond the effective period of this order.
8. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Springfield, Missouri, for authorization to participate in the plan. A copy of each such appli-cation shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

9. Communications concerning this order should refer to "Supplementary Order ODT 20A-81" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Springfield.

Missouri.

10. This order shall become effective March 21, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 14th

day of March 1944.

C. D. YOUNG, Deputy Director Office of Defense Transportation.

Guy E. Sesler, d/b/a 408 Cab Co., 1530 Virginia Ave., Joplin, Mo.

C. H. Grant, d/b/a Yellow Cab Co., 313 Joplin, Joplin, Mo.

[F. R. Doc. 44-3643; Filed, March 16, 1944; 10:05 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 626]

MILTON COAL CO. AND HELEN COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 626 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 3. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

¹ Filed as part of the original document.

Milton Coal Co. (Alonzo M. Millee), Buckhannon, Upsher County, W. Va. (Sinth No. 1 Meie; Deep Mine), Pittsburgh Seam Mine index no. 742—railroad fuel price group no. 1

	-				Size gro	up Nes.			,	
* .	1	2	. 8	4	5	G	7	8	0	10
Price classification Rail shipments Truck shipments Railroad fuel	F 275 293 270	F 275 293 270	F 275 293 270	F 275 268 270	F 275 268 270	អន្តន្តន	F 245 243 240	245 245	r 210	25 25

HELEN COAL CO., SAND FORK, GILMER COUNTY, W. VA. (WEST MINE), PITTSDURGH SEAM
MINE INDEX NO. 2027—BAILROAD FUEL PRICE GROUP NO. 1

		Size group NGS.									
	1	2	3	• 4	ů	6	7	s	0	19	
Price classification Rail shipments Truck shipments Railroad fuel	F 275 298 270	F 275 293 270	. F 275 293 270	F 275 268 270	F 275 208 270	ន្តន្លន្ត	F 215 213 249	4 212 012	4 25 912	25 25 269	

This order shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

·Issued this 15th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3610; Filed, March 15, 1944; 11:47 a. m.]

[MPR 188, Amdt. 3 to Order 630]

PIERCE-PHELPS, INC., AND TENN. VALLEY . ASSOC.

APPROVAL OF MAXIMUM PRICES

Amendment No. 3 to Order No. 630 under § 1499.158 of Maximum Price Reg-

ulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of mechanical domestic food dehydrators by manufacturers, by jobbers, and by retailers.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 630 under § 1499.158 of Maximum Price Regulation No. 183 is amended in the following respects:

1. The list of celling prices contained in paragraph (a) of Order No. 630 is amended by adding thereto the new items and celling prices set forth below:

Manufacturer	Model designation	Mig'rs ceiling price	Mpolecule Cilling Price	Retail price to concurrers
Pierce-Phelps, Inc., Philadelphia, Pa	PD-24 Debydrator Kit PD-24 Debydrator Cabinet Top Line Debydrator Kit Top Line Debydrator Cabinet	\$12.45	\$15.83	\$24.85
Pierce-Phelps, Inc., Philadelphia, Pa		19.63	20.81	33.19
Tenn. Valley Assoc., Nashville, Tenn		13.80	17.23	27.60
Tenn. Valley Assoc., Nashville, Tenn		10.17	20.22	32.35

This Amendment'No. 3 to Order No. 630 shall become effective on the 16th day of March 1944.

Issued this 15th day of March 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-3630; Filed, March 15, 1944; 4:54 p. m.]

> [MPR 188, Amdt. 29 to Order A-1] SEWERTITE JOINT CEMENT

MODIFICATION OF MAXIMUM PRICES

Amendment No. 29 to Order No. A-1 under § 1499.159b of Maximum Price

Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (25) is added to read as follows:

(25) Modification of maximum prices for sewertite joint cement. (i) The maximum prices for sales by the manufacturer of sewertite joint cement, f. o. b. plant, shall be:

(a)

Product number	Containing capacity in lbs.	Product -	List price
04321-A 04321-B 04322-B 04322-B 04345-A 04345-B 04341-B 04341-B 04342-A 04342-B 04343-A 04343-FF	W. B450 W. B270 W. B450 W. B450 W. B270 W. B450 W. B270 W. B450 W. B270 P. C100	Cold Mastic Asphalt Medium Cold Mastic Asphalt Medium Cold Mastic Asphalt Heavy Cold Mastic Asphalt Heavy Cold Mastic Asphalt Heavy Cold Mastic Asphalt Extra Heavy Cold Mastic Asphalt Extra Heavy Cold Mastic Asphalt Extra Heavy Cold Mastic Tar Medium Cold Mastic Tar Medium Cold Mastic Tar Heavy Cold Mastic Tar Heavy Cold Mastic Tar Heavy Cold Mastic Tar Heavy Cold Society Cold Mastic Tar Heavy Cold Mastic Tar Heavy Diskit Hot Pour Asphalt Die Cast Joint Compound	Ele per le.

(b) On sales to the classes of purchasers and in the quantities listed below, the maximum prices established by subdivision (a) above must be reduced by the following discounts:

Buyer electification	Table of discounts			
	L.C.L.	C. L.		
Concumers Sewer contractors, rail- reads, large indus- trials, and Govern-	List List—16%	List—10%. List—10-10%.		
ment agencies. Recollers, cuch as deal- ers and pipe manu-	List—10-1675	List-16-16-		
ficturers. Jobbers.	LL:t-10-10- 1075.	List—10-10-10 10%		

• (c) Cold mastic compounds shall carry a minimum freight allowance of \$.50 per cwt. in carload and less than carload shipments.

(ii) This subparagraph (25) may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9323, 8 F.R. 4681)

Issued this 15th day of March 1944.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 44-3631; Filed, March 15, 1944; 4:53 p. m.]

SECURITIES AND EXCHANGE COM-MISSION. -

[File Nos. 59-53, 54-88]

CITIES SERVICE CO., ET AL.

ORDER DIRECTING SIMPLIFICATION OF COR-PORATE STRUCTURE AND APPROVING PLAN

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 14th day of March, 1944.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, respondents, File No. 59–53; Cities Service Power & Light Company, File No. 54–88.

The Commission having instituted proceedings pursuant to section 11(b)(2) and other sections of the Public Utility Holding Company Act of 1935 with respect to Cities Service Company, a registered holding company, Cities Service Power & Light Company, a registered holding company and a subsidiary of Cities Service Company, and certain subsidiary companies of Cities Service Company and Cities Service Power & Light Company, by its notice of and order for hearing dated August 29, 1942, to determine, among other things, whether the corporate structure of Cities Service Power & Light Company unduly or unnecessarily complicates the structure of

the holding company system of Cities Service Company and/or Cities Service Power & Light Company, and if so, what action shall be required to be taken pursuant to section 11 (b) (2) with respect thereto; and

Cities Service Power & Light Company having filed with the Commission, pursuant to section 11 (e), a plan and amendments thereto which, among other things, proposes to eliminate all the debentures and preferred stock of Cities Service Power & Light Company from its corporate structure, and Cities Service Company having filed its joinder in said Plan in relation to all transactions between it and Cities Service Power & Light Company provided in said plan as amended: and

The Commission having issued its notice of and order for hearing on said plan and having issued its notice and order reconvening the hearings in said proceeding under section 11 (b) (2) and other sections of the act and consolidating said proceeding with the proceeding

on said plan; and

Notice having been duly given to all interested persons, all such persons having been given an opportunity to be heard with respect to all matters pertaining to said proceedings, hearings having been held and the Commission having this day issued and filed its findings and opinion herein; now therefore,

I. It is hereby ordered, Pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, and in accordance with said findings and opinion, that Cities Service Power & Light Company shall change its preesnt capital structure, consisting of debentures, preferred stock and common stock, into a capital structure consisting of one class of stock.

namely common stock.

II. It is further ordered, That the plan dated and filed herein on December 20, 1943, by Cities Service Power & Light Company for the simplification of its corporate structure, as amended, be and it is hereby in all respects approved as necessary and appropriate to carry out and effectuate the provisions of subdivision I of this order, as necessary to effectuate the provisions of section 11 (b) of the act, and as fair and equitable to the persons affected thereby, and that Cities Service Power & Light Company be and it is hereby directed to carry out and consummate said plan in accordance with its terms.

III. It is further ordered. Without prejudice to the generality of the foregoing provisions of this order,

(a) That the applications and declarations of Cities Service Power & Light Company and Cities Service Company with respect to the following transactions, to wit:
(1) The sale and transfer by Cities

Service Power & Light Company, and the acquisition by Cities Service Company, of \$4,700,000 principal amount of 6% Demand Notes of The Gas Service Company, \$838,220 par value of Cumulative First Preferred Stock and \$12,832 par value of non-Cumulative Second Preferred Stock of Kansas City Gas Company, and \$200,000 par value of Cumula-

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tive First Preferred Stock of The Wyandotte County Gas Company in exchange for the sale and transfer by Cities Service Company and the acquisition and retirement by Cities Service Power & Light Company of \$1,914,000 principal amount of 51/2% Debentures due 1949 and \$2,289,000 principal amount of 51/2% Debentures due 1952 of Cities Service Power & Light Company and 9,242 shares of \$7 Dividend Cumulative Preferred Stock of Cities Service Power & Light Company, and for the sale and transfer by Cities Service Company and the acquisition by Cities Service Power & Light Company of \$150,000 par value of the Common Stock and \$874,921 principal amount 6% Demand Note of Ozark Utilities Company,

(2) The sale and transfer by Cities Service Power & Light Company, and the acquisition by Cities Service Company, of the following securities of The Community Traction Company, to wit: \$4,-724,000 aggregate principal amount of First Mortgage 6% Bonds due 1946, with all matured and unmatured coupons appertaining thereto, \$406,125,04 principal amount 6% Note due serially to March 1, 1951, \$327,230 principal amount of 6% Demand Notes, and \$1,458,950 par value of 8% Cumulative Preferred Stock, in exchange for the sale and transfer by Cities Service Company and the acquisition and retirement by Cities Service Power & Light Company of 40,000 shares of the \$5 Dividend Cumulative Preferred Stock of Cities Service Power & Light

(3) The donation by Cities Service Company and the acquisition and retirement by Cities Service Power & Light Company of 9,352 shares of the \$5 Dividend Cumulative Preferred Stock, 38,791 shares of the \$6 Dividend Cumulative Preferred Stock and 24,469 shares of \$7 Dividend Cumulative Preferred Stock of Cities Service Power & Light Company.

(4) The acquisition and retirement by Cities Service Power & Light Company of \$12,922,000 principal amount of its debentures due 1949, \$28,647,000 principal amount of its debentures due 1952, 648 shares of its \$5 Dividend Cumulative Preferred Stock, 31,657 shares of its \$6 Dividend Cumulative Preferred Stock, and 21,679 shares of its \$7 Dividend Cumulative Preferred Stock, for cash, as

set forth hereinafter, and

(5) The issuance and sale by Cities Service Power & Light Company of \$20,-000,000 principal amount of notes to a group of banks, as provided in the Loan Agreement dated January 5, 1944, between Cities Service Power & Light Company and said banks filed herein, and the pledge as security for said notes of assets of Cities Service Power & Light Company as specified in said Loan Agreement under a Custodian Agreement with The Chase National Bank of the City of New York, in the form or substantially the form attached as Exhibit C to said Loan Agreement.

All as provided by said plan as amended, be and they are hereby granted and permitted to become effective respectively, subject, however, to the following terms and conditions:

(i) That the application of Cities Service Power & Light Company for approval of its acquisition of securities of Ozark Utilities Company is granted subject to the condition that Cities Service Power & Light Company shall, within one year from the date hereof, dispose of its interests in Ozárk Utilities Company so to be acquired.

(ii) That jurisdiction be and it is hereby reserved with respect to the retainability by Cities Service Company of the interests to be acquired by it from Cities Service Power & Light Company,

and (iii) That Cities Service Company and Cities Service Power & Light Company shall make appropriate provision to ensure that the debentures and shares of preferred stock of Cities Service Power & Light Company which were held directly or indirectly on March 13, 1944, by or for any officer or director of Cities Service Company or of Cities Service Power & Light Company, and which had been acquired since February 24, 1938, shall be surrendered by such officers and directors under the plan as amended, that the cash paid in respect of such debentures and shares of preferred stock shall be held in a special fund by Cities Service Power & Light Company, that such cash may be invested in United States Government securities, and that such cash, such investments and any increment thereto shall be subject to such disposition as may be determined by the Commission to be appropriate.

(b) That all outstanding debentures of Cities Service Power & Light Company due respectively 1949 and 1952 referred to in subdivision III (a) (4) of this order shall become due and payable at the office of Central Hanover Bank and Trust Company on April 15, 1944, at their principal amount plus accrued interest thereon to April 15, 1944, that Cities Service Power & Light Company shall apply the net proceeds of \$20,453,125 heretofore received by it from the sale of its holdings in Public Service Company of Colorado and such portion of the net proceeds of sale of said notes as is required, to the payment of said debentures and of all outstanding matured interest coupons by deposit with Central Hanover Bank and Trust Company on March 15, 1944, or as soon thereafter as possible and in any event prior to April 15, 1944, of cash in an amount equal to the principal amount of said debentures then outstanding plus accrued interest to April 15, 1944, and that in the event of such deposit all interest on said debentures shall cease to accrue on and after April 15, 1944, and all rights of the holders of said debentures except the right to receive out of said cash so deposited the principal amount of their debentures plus interest thereon to April 15, 1944. shall forthwith cease and determine, and Cities Service Power & Light Company shall be released and fully discharged from all liability with respect to said debentures and the coupons appertaining thereto, whether for principal or interest or otherwise, and with respect to the indentures under which said debentures were issued, all as provided by said plan as amended;

(c) That Cities Service Power & Light Company shall, out of the remaining proceeds of sale of said notes, together with any available cash, on March 15, 1944, or as soon thereafter as possible and in any event prior to April 15, 1944, deposit with Central Hanover Bank and Trust Company cash in an amount equivalent to the involuntary liquidating value (\$100 per share) of all the outstanding preferred stock of Cities Service Power & Light Company referred to in subdivision III (a), (4) of this order plus accumulated and unpaid dividends thereon to April 15, 1944, that in the event of such deposit, the respective holders of shares of said preferred stock of the Company shall, on and after the date of such deposit, cease to be entitled to any dividends except accumulated and unpaid dividends to April 15, 1944, and shall cease to be stockholders of, or to have any right or interest in, Cities Service Power & Light Company or its assets, or any rights or interest whatsoever, except to receive payment for their shares of said stock all as provided by said plan as amended: and

(d) That Cities Service Power & Light Company shall publish and mail an appropriate notice, as provided by said plan as amended, of said deposits and of the rights of its debenture holders and preferred stockholders to receive payment against surrender of their debentures and preferred stock as aforesaid.

IV. It is further ordered, That jurisdiction be and it is hereby reserved with respect to the following matters:

(a) All issues involved in Cities Service Company et al. (File No. 59-53), except those disposed of herein,

(b) The accounting entries to be made by Cities Service Power & Light Company and by Cities Service Company in recording the transactions to be consummated hereunder, and

(c) The disposition of cash to be paid upon the surrender by officers and directors of Cities Service Power & Light Company and Cities Service Company of debentures and shares of preferred stock held directly or indirectly by or for any of them on March 13, 1944, and acquired since February 24, 1938, and the disposition of any securities in which such cash may have been invested and of any increment thereto; and

Cities Service Power & Light Company having requested that the Commission include appropriate recitals herein pursuant to the provisions of sections 371 and 1808 of the Internal Revenue Code,

V. It is hereby further ordered, And recited that the use and expenditure by Cities Service Power & Light Company of the net proceeds received by it upon the sale of its holdings in Public Service Company of Colorado in the retirement of its outstanding debentures, the issuance and delivery by Cities Service Power & Light Company of notes in the aggregate principal amount of \$20,000,-000, the exchange of securities between Cities Service Company and Cities Service Power & Light Company, and the donation by Cities Service Company to Cities Service Power & Light Company of 72,612 shares of preferred stock, all as hereinbefore in this order provided and directed, is necessary or appropriate to the integration and simplification of the holding company system of which Cities Service Power & Light Company is a member, and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

SEAL] ORVAL L. DUBOIS,

Secretary.

[F. R. Doc. 44-3676; Filed, March 16, 1944; 11:21 a. m.]

[File No. 70-205]

ILLINOIS POWER CO.

MEMORANDUM OPINION AND SUPPLEMENTAL ORDER PERMITTING DECLARATION TO FECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 14th day of March, 1944.

On January 5, 1944 we entered an order 1 in the above proceeding permitting an amended declaration of Illinois Power Company (the Company) to become effective under the Public Utility Holding Company Act of 1935 regarding (a) the issue and sale to institutional investors? of \$65,000,000 principal amount of First Mortgage and Collateral Trust Bonds, -% Series due November 1, 1973, and (b) the issue and sale to commercial banks of 234% Serial Notes in the principal amount of not less than \$4,000,000 and not more than \$5,000,000, maturing serially in not more than five years from date. The order provided that the issue and sale of the proposed bonds and notes should not be consummated until we had been advised as to the price and terms of the new bonds and had entered a further order in these proceedings. We also directed the Company to furnish a revised estimate of the fees and expenses to be incurred in connection with the proposed refunding and reserved jurisdiction with respect to the payment thereof.

On February 28, 1944 the Company filed an amendment in compliance with our previous order. A public hearing was held and the Commission, having considered the record, makes the following findings:

The Company has entered into contracts with institutional investors for the sale to them of an aggregate of \$63,000,000 principal amount of First Mortgage and Collateral Trust Bonds, 4% Series due November 1, 1973, dated November 1, 1943, at a price of 101% of the principal amount thereof plus accrued interest to the date of delivery. The bonds are redeemable, otherwise than for sinking fund purposes, in whole or in part at the option of the Company upon payment of the principal amount plus accrued interest and a premium amounting to 5% of

the principal amount thereof to and including November 1, 1944; thereafter, the premium decreases 1/29 of 5% each year to and including November 1, 1972. The Company has also entered into contracts with three commercial banks for the sale to them of 234% Serial Notes in the aggregate amount of \$5,000,000 maturing serially in not more than five years from date. The record indicates that the reduction from \$65,000,000 to \$63,000,000 in the principal amount of new bonds is occasioned by the sale of the maximum amount of notes and by the use of cash available as a result of recent improvement in the cash position of the Company.

The amendment discloses that the Mortgage and Daed of Trust and Supplemental Indenture securing the new bonds contain provisions differing somewhat from those contemplated in the original filing and summarized on pages 16 and 17 of our findings and opinion in this matter. The only substantial changes, however, relate to the sinking and property additions funds. The sinking fund has been increased so as to retire a minimum of \$28,600,000 principal amount of the new bonds, instead of \$26,-000,000 thereof, prior to maturity. This is effected by an annual increase of \$200 .-000 beginning in 1960, in the sinking fund payments. The property additions fund has been increased from \$1,800,000 to \$2,000,000 annually so as to require the application of a minimum of \$58,000,000 during the period 1944 to 1972, inclusive. for the construction or acquisition of property additions, as compared with \$52,200,000 as originally proposed. As initially drawn, the mortgage provided that the Company could not obtain the release of part, as distinguished from all, of the pledged securities of its subsidiary, Illinois Terminal Railroad Com-This restriction has been broadened to include Central Terminal Company, the Company's only other active subsidiary. The Supplemental Indenture also provides that upon maturity or default the interest rate shall be increased to 5% per annum: the Supplemental Indenture originally provided that in such event the interest would continue at the same rate at which the bonds were sold.

The Purchase Agreement provides that concurrently with the delivery of the new bonds, the proceeds from the sale thereof shall be deposited with the trustee under the indenture securing the outstanding bonds. The Series C, 5% First and Refunding Mortgage Bonds, due December 1, 1956, in the principal amount of \$39,175,100 will be called for redemption on June 1, 1944, and the Series A, 6% First and Refunding Mortgage Bonds, due April 1, 1953, in the principal amount of \$30,681,500 will be called for redemption on October 1, 1944.

The purchasers represent that they are purchasing the new bonds for their respective accounts for investment and with no present intention of reselling or distributing them.

The issue and sale of the new bonds at the price and on the terms set forth in

¹ Illinois Power Company, — S.E.O. —, Holding Company Act Release No. 4816.

The order granted the Company an exemption from the competitive bidding requirements of Rule U-50.

² Illinois Power Company, supra.

the amendment has been authorized by an order of the Illinois Commerce Commission dated March 7, 1944.

The sale of the new 4% bonds at a price of 101 represents a net cost of money to the Company of 3.945% and will result in an annual interest savings before taxes of \$1,142,000. The record discloses that the price and terms of the new bonds were determined after extensive negotiations at arm's-length. We see no necessity for adverse findings with respect thereto.

The total revised estimate of the fees and expenses to be incurred in connection with the refunding program is \$372,950. We will reserve jurisdiction over all legal fees and expenses and over the fees payable to The First Boston Corporation as the record is not complete with respect thereto. The other fees and expenses do not appear to be unreasonable and jurisdiction over their payment will be released.

It is therefore ordered, That the declaration of Illinois Power Company, as amended on February 28, 1944, be and the same is hereby permitted to become effective, subject to the terms and conditions prescribed by Rule U-24, and subject to the further condition that jurisdiction is hereby reserved over the payment of all legal fees and expenses and the fees of The First Boston Corporation incident to these proceedings and for the entrance of further orders with respect thereto.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

\$7, 150

[F. R. Doc. 44-3677; Filed, March 16, 1944; 11:21 a. m.]

UNITED STATES COAST GUARD.

¹ Securities and Exchange Commis-

sion Registration Fee....

APPROVAL AND WITHDRAWAL OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, 1028 (46 U.S.C. 375, 391a, 404, 481, 489, 367, 526-526t, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following approval and

Federal Issue Tax_ 69.300 Printing Registration Statement, Memorandum, Exhibits, Applications to Regulatory Commissions and Other Incidental *25,000 Printing__ Preparation of engraving se-*500 curities ... Trustee's fee and authentication *21,000 charges ___ Legal fees and expenses_ *90,000 The first Boston Corporation, fee as financial advisor (not to 35,000 exceed) __ Fee as agent in private place-75,000 ment__ Auditors' fees and expenses__ *25,000 Fees for recording Mortgage and *10,000 Supplemental Indenture_____ *15,000 Miscellaneous Total____ *Estimated.

withdrawal of approval of equipment are prescribed:

ITEMS OF EQUIPMENT APPROVED

DAVITS

Schat low type davit, type S.S.L 5-10.5 (Arrangement Dwg. No. B.A. 343, dated 31 January, 1944) (Maximum working load of 2,500 pounds per arm), submitted by Lane Lifeboat & Davit Corp., Foot of 40th Road, Flushing, New York.

Sheath Screw davit, size 5-S-6-O (General Assembly Dwg. No. 445-D, dated 12 November, 1943, revised 21 February, 1944) (Maximum working load of 4,500 pounds per arm), submitted by The Landley Company, Inc., 15 Park Row, New York, N. Y.

FIRE EXTINGUISHER

C-D/Fog Model 4A Seat Type, 4 pound carbon dioxide fire extinguisher, (Assembly Dwg. No. CO-237D, and Parts List Dwgs. Nos. CO-173A, CO-174A, CO-175A, dated 12 November, 1942, and CO-236A, revised 2 April, 1943) (For use on all motorboats except those of over 15 gross tons carrying passengers or freight for hire), manufactured by The General Detroit Corp., Detroit, Michigan.

FIRE-RESISTIVE SUBSTANCE

Tolex, 304DC, smooth grain, fire-resistive finish for use in the treatment of cotton drill covers of life preservers, submitted by Textileather Corp., Toledo, Ohio.

FIRST-AID KIT

First-aid kit, 24-unit, Type MM, submitted by the E. D. Bullard Company, 275 Eighth Street, San Francisco, Calif.

LIFEEOAT

18' x 6' x 2.6' metallic oar-propelled lifeboat (199 Cu. Ft. S. R. capacity) (General arrangement and construction Dwg. No. 1815, dated 8 February, 1944), submitted by the Lane Lifeboat & Davit Corp., Foot of 40th Road, Flushing, N. Y.

CORRECTION

Adult kapok life preserver (Dwg. No. 2, dated 19 November, 1943) (For general use only and not for use with lifesaving suits), Approval No. B-204, manufactured by the Merit Manufacturing Corp., 225-27 Powell Street, Brooklyn, N. Y. (Originally approved 8 F.R. 17235, 22 December, 1943)

ITEMS OF EQUIPMENT; APPROVAL WITHDRAWN

LINE-THROWING GUNS

Line-throwing guns, Hall breech loading, Model A (fixed mount) and Hall breech loading, Model B (swivel mount), manufactured by the Naval Company, 3419 Richmond Street, Philadelphia, Pa. (Originally approved 13 March, 1919.) (Any on board ship in good condition may remain in service.)

Line-throwing gun, manufactured by the New York Gun Co., 31 South Street, New York, N. Y. (Originally approved by the Executive Committee in 1938.) (Any on board ship in good condition may remain in service.)

R. R. WAESCHE, Commandant.

MARCH 14, 1944.

[F. R. Doc. 44-3628; Filed, March 15, 1944; 3:40 p. m.]

WAR FOOD ADMINISTRATION.

Farm Security Administration.

SNOHOMISH COUNTY, WASH.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the

Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION XI-WASHINGTON

SNOHOMISH COUNTY

Locality I: Consisting of Everett City; precincts of Armstrong, Cathcart, East Everett, East Stanwood, Ebey, Edgecomb, Everett, Florence, Fortson, Getchell, Glenwood, Hazel, Jim Creek, Lake Cassidy, Lakewood, Lane, Lincoln, Ludwig, Marion, Marsh, Marysville, Monroe, Norman, Oso, Pacific, Park Place, Pearson, Pinehurst, Riverview, Shorts, Shoultes, Silvana, Snohomish, South Snohomish, Standby, Stanwood, Sunnyside, Trafton, Trail, Tualco, Union, Welangdon, and Wellesly Hills, \$11,030.

Locality II: Consisting of the precincts of Boulder, Bryant, Cedarhome, Cliff, and

Village, \$4,539.

Locality III: Consisting of the precincts of Darrington, Fir, Gold Bar, Granite Falls, Gregory, Hartford, Highland, Lake, Lake Stevens, Lakeview, Lochsloy, Machias, Milton, Newburg, Norden, Olney, Outlock, Robe, Roosevelt, Sexton, Silverton, Skykomish, South Lake Stevens, Sultan, Sultan River, Three Lakes, Vernon, Waliace, and Winter Lake, \$5,054.

Locality IV: Consisting of the precincts of Kruse, Port Susan, Quilceda, Tulalip, and Whaleback, \$6,134.

Locality V: Consisting of the precincts of Alderwood, Bear Creek, Beverly Park, Broadway, Cedar Valley, Clearview, Currie, Darlington, Emander, Fernwood, Hiway, Intercity, Lake Ballinger, Maltby, Manor Lake, Meadowdale, Mukliteo, Nelson, North Creek, Richmond, Seattle Heights, Silverlake, Swamp Creek, \$8,758.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: March 14, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-3674; Filed, March 16, 1944; 11:32 a. m.]

Office of the Administrator.

CARL R. BULLOCK

DESIGNATION AS PERSON TO HOLD HEARINGS.

Note: F.R. Doc. 44-3675, issued jointly by the Department of Agriculture and the War Food Administration, appears under the captions "Department of Agriculture" "Office of the Secretary", supra.

Office of Distribution.

ADMINISTRATOR OR ALTERNATE ADMINISTRA-TOR OF FOOD DISTRIBUTION ORDER 75-2

DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by Food Distribution Order No. 75 (8 F.R. 11119), and to effectuate the purposes thereof and of Food Distribution Order No. 75-2, as amended (9 F.R. 2200), the Administrator or Alternate Administrator of Food Distribution Order No. 75-2 is hereby authorized:

(a) To grant exemptions, in whole or part, from the provisions of said order, upon a showing that compliance therewith would work an exceptional and unreasonable hardship. In granting exemptions, the Order Administrator or Alternate Order Administrator shall be guided by:

(1) Findings or determinations of the interested procurement agency with respect to transportation or delivery, or with respect to current needs for particular types, grades or quantities; or

(2) Abnormal civilian requirements in defense areas in combination with a seasonal shortage of livestock in such areas: or

(3) Lack of facilities within the trade area in which the petitioner is located, together with any unreasonable hardship which would result from a requirement that such facilities be obtained; or

(4) Other factors involving facilities, transportation, delivery, economy of operation, population, civilian requirements, or fluctuations in the supply of livestock, which would operate in such a manner as to bring about an exceptional and unreasonable hardship.

(b) To allocate set aside meat to or among governmental agencies, authorized purchasers, or persons entitled to purchase set aside meat under a Food Distribution regulation.

(c) Upon written application, to revise any conversion weight factor upon a showing that such factor will result in undue hardship in the preparation of certain products.

Any exemption, allocation, revision, or exception hereunder shall be by written notice to the individual slaughterer concerned. All authority herein conferred shall be exercised subject to the supervision of the Chief of the Livestock and Meats Branch, Office of Distribution, War Food Administration, and in accordance with such general instructions concerning policy and procedure as may from time to time be issued by the Director of Food Distribution.

Nothing herein contained shall be construed as affecting any power or authority vested in the Director of Food Distribution. This delegation supersedes the delegation of authority of August 25, 1943 (8 F.R. 11864).

Issued this 15th day of March 1944.

LEE MARSHALL,

Director of Food Distribution.

[F. R. Doc. 44-3627; Filed, March 15, 1944; 3:40 p. m.]

WAR MANPOWER COMMISSION.

NORTH CAROLINA, VIRGINIA AND WEST VIRGINIA

APPROVAL OF INTERMEDIATE STATE APPEALS COMMUTTEES AND PANELS

The Regional Manpower Director for War Manpower Commission Region IV, having submitted his application for the approval, pursuant to § 906.2 (c) of War Manpower Commission Regulation No. 5, of an intermediate review stage for the states of North Carolina, Virginia, and West Virginia; and

Having found that each of the above named states constitutes an area presenting special problems, that a duly constituted Management-Labor War Manpower Committee is functioning with respect to each such state, and that each such committee, or an appropriate panel thereunder, will review appeals cases arising under War Manpower Commission Regulation No. 5 within each of the above named states;

Approval is hereby given to the maintenance of an intermediate review stage for each of the states of North Carolina, Virginia, and West Virginia, such intermediate review stage to be subject in all respects to the procedures and requirements set forth in War Manpower Commission Regulation No. 5 with respect to the review of appeals at the regional level.

PAUL V. McNUTT, Chairman.

March 14, 1944.

[F. R. Doc. 44-3646; Filed, March 16, 1944; 10:25 a. m.]

NORTH DAKOTA, SOUTH DAKOTA, NEBRASKA,
MINNESOTA AND IOWA

APPROVAL OF INTERMEDIATE STATE APPEALS
COMMITTEES AND PANELS

The Regional Manpower Director for War Manpower Commission Region VIII, having submitted his application for the approval, pursuant to § 906.2 (c) of War Manpower Commission Regulation No. 5, of an intermediate review stage for the states of North Dakota, South Dakota, Nebraska, Minnesota, and Iowa; and

Having found that each of the abovenamed states constitutes an area presenting special problems, that a duly constituted Management-Labor War Manpower Committee is functioning with respect to each such state, and that each such committee, or an appropriate panel thereunder, will review appeals cases arising under War Manpower Commission Regulation No. 5 within each of the above named states;

Approval is hereby given to the maintenance of an intermediate review stage for each of the states of North Dakota, South Dakota, Nebraska, Minnesota, and Iowa, such intermediate review stage to be subject in all respects to the procedures and requirements set forth in War Manpower Commission Regulation No. 5 with respect to the review of appeals at the regional level.

PAUL V. McNUTT, Chairman.

MARCH 14, 1944.

[F. R. Doc. 44-3647; Filed, March 16, 1944; 10:25 a.m.]

WASHINGTON, OREGON, NEVADA, ARIZONA, AND CALIFORNIA

APPROVAL OF INTERMEDIATE STATE APPEALS COMMITTEES AND PANELS

The Regional Manpower Director for War Manpower Commission Region XII, comprising the states of Washington, Oregon, Nevada, California, and Arizona, having submitted his application for the approval, pursuant to § 906.2 (c) of War Manpower Commission Regulation No. 5, of an intermediate review stage for the states of Washington, Oregon, Nevada, and Arizona, and for the Northern California War Manpower Commission Area and the Southern California War Manpower Commission Area; and

Having found that each of the above named states and areas constitutes an area presenting special problems, that a duly constituted Management-Labor War Manpower Committee is functioning with respect to each such state and area, and that each such committee, or an appropriate panel thereunder, will review appeals cases arising under War Manpower Commission Regulation No. 5 within each of the above named states and areas;

Approval is hereby given to the maintenance of an intermediate review stage for each of the states of Washington, Oregon, Nevada, and Arizona, and for the Northern California War Manpower Commission Area and the Southern California War Manpower Commission Area, such intermediate review stage to be subject in all respects to the procedures and requirements set forth in War Manpower Commission Regulation No. 5 with respect to the review of appeals at the regional level.

PAUL V. McNutt, Chairman.

MARCH 14, 1944.

[F. R. Doc. 44-3648; Filed, March 16, 1944; 10:25 a. m.]

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